00111814

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

Digitized with financial assistance from the
Government of Maharashtra
on 25 June, 2016

CLARK'S

FOREIGN

THEOLOGICAL LIBRARY.

NEW SERIES.

VOL. XXXV.

Keil's Biblical Archæology.

VOL. II.

J. C. 56

EDINBURGH:
T. & T. CLARK, 38 GEORGE STREET.
1888.

PRINTED BY MORRISON AND GIBB,

FOR

T. & T. CLARK, EDINBURGH.

LONDON, ... HAMILTON, ADAMS, AND CO.
DUBLIN, ... GEORGE HERBERT.
NEW YORK, ... SCRIBNER AND WELFORD.

MANUAL

OF

BLICAL ARCHÆOLOGY.

BY

CARL FRIEDRICH KEIL,
DOCTOR AND PROFESSOR OF THEOLOGY.

TH ALTERATIONS AND ADDITIONS FURNISHED BY THE AUTHOR FOR THE ENGLISH TRANSLATION.

111814

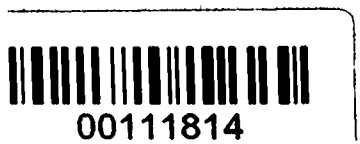
VOL. II.

Translated from the German and Edited by the

REV. ALEX. CUSIN, M.A.,
EDINBURGH.

EDINBURGH:
& T. CLARK, 38 GEORGE STREET.
1888.

God
220.93
Kei/Man
111814



PREFACE.

—o—

[redacted] this volume was in course of translation the distinguished author passed away, after a life of extraordinary industry and devotion to Biblical studies. His latest "alterations and additions" had all been already forwarded for use in the translation of this volume as in that of the former, and they appear in their proper places.

As indicated in the Preface to the first volume, Professor Crombie contemplated doing for the second volume what he [redacted] done for the first. But he found it necessary to be [redacted]d of the undertaking. For the second volume, as it [redacted]w presented in English, I am alone responsible.

ALEXANDER CUSIN.

[redacted]REE LADY GLENORCHY'S MANSE,
EDINBURGH, *November* 1888.

CONTENTS.

—o—

FOURTH DIVISION—*continued.*

WORSHIP IN RELATION TO THE TIMES FIXED FOR ITS OBSERVANCE.

SECOND CHAPTER.

THE CYCLE OF SABBATHS.

SECT.		PAGE
77.	The Weekly Sabbath,	1
78.	The Monthly Sabbath, or Sabbatic Month,	7
79.	The Sabbatic Year,	10
80.	The Jubilee Year, or Year of Freedom,	13

THIRD CHAPTER.

THE FIRST SERIES OF YEARLY FEASTS.

81.	The Feast of Passover,	20
82.	The Feast of Unleavened Bread,	30
83.	The Feast of Weeks, or Pentecost,	37

FOURTH CHAPTER.

THE SECOND SERIES OF YEARLY FEASTS.

84.	The Day of Atonement,	40
85.	The Feast of Tabernacles with its Octave,	52
86.	The Typical Character of the Mosaic Feasts and Feast Times,	59

FIFTH CHAPTER.

POST-EXILIC FEASTS.

SECT. PAGE
87. The Feasts which arose after the Exile, ... 62
88. The Synagogue Service, ... 65

SIXTH CHAPTER.

ON THE HISTORY OF JEWISH WORSHIP.

89. Survey of the History of the Levitical Worship, . . . 67
90. Worship on High Places and Image-worship, . . . 72
91. Idolatry, ... 80

III. SECOND PART OF BIBLICAL ARCHÆOLOGY.

PART II.—SOCIAL RELATIONS OF THE ISRAELITES.

92. Introductory, ... 102

FIRST DIVISION.

THE DOMESTIC RELATIONS OF THE ISRAELITES.

93. General Character, ... 103

FIRST SECTION.

DWELLINGS AND NOURISHMENT.

FIRST CHAPTER.

THE DWELLINGS OF THE ISRAELITES.

94. Various Kinds of Dwellings, ... 104
95. Building and Furniture of Houses, ... 106
96. Villages, Towns, and Cities, ... 109

SECOND CHAPTER.

FOOD OF THE ISRAELITES.

97. Articles of Food, or Meats and Drinks, ... 112
98. Aim and Meaning of the Mosaic Laws regarding Food, . . 117

SECT. PAGE
99. Preparation of Food, ... 125
100. Meal Times and Banquets, ... 130

Third Chapter.

THE CLOTHING OF THE ISRAELITES.

101. Its general Character, ... 133
102. The Dress of Males, ... 136
103. The Dress of Women, ... 142
104. Care and Adorning of the Body, ... 144
105. Jewellery and Ornaments, ... 148

SECOND SECTION.

FAMILY RELATIONS.

First Chapter.

MARRIAGE.

106. Nature and Character of Israelitish Marriage, . . . 150
107. Forbidden Marriages, ... 153
108. Levirate Marriage, ... 162
109. Contracting of Marriage, Betrothal, and Wedding, . . . 167
110. The Married State and Divorce, ... 171

Second Chapter.

CHILDREN AND SERVANTS.

111. Upbringing of Children, ... 175
112. Servants and other Inmates of the House, ... 178

THIRD SECTION.

FAMILY LIFE IN JOY AND SORROW.

113. Social Intercourse. Amusements. Hospitality, . . . 182
114. Sicknesses, ... 186
115. Burial of the Dead, and Mourning Usages, ... 199

SECOND DIVISION.

THE EVERYDAY OCCUPATIONS OF THE ISRAELITES.

SECT. PAGE
116. The Beginnings of the various Occupations, ... 203

FIRST SECTION.

OCCUPATIONS FOR THE SUPPORT OF LIFE.

First Chapter.

AGRICULTURE.

117. Development of Agriculture among the Israelites, . . . 205
118. Field Work, ... 210
119. Wine and Olive Culture, ... 213
120. Fruit and Garden Culture, ... 216

Second Chapter.

CATTLE-REARING, THE CHASE, AND FISHING.

121. Cattle-rearing among the Israelites, ... 218
122. Hunting and Fishing, ... 221

SECOND SECTION.

TRADE AND INDUSTRY.

First Chapter.

INDUSTRIES AND HANDICRAFTS.

123. Their Development among the Israelites, ... 223
124. The chief Trades, ... 225

Second Chapter.

TRADE OF THE ISRAELITES.

125. Weights, ... 229
126. Measures, ... 232
127. Money, ... 238
128. Commerce by Land and Sea, ... 245
129. Modes of Travelling and Transport, ... 255

THIRD SECTION.

SCIENCE AND ART OF THE ISRAELITES.

SECT. PAGE
130. Their Character, ... 258

First Chapter.

THE SCIENCES.

131. Writing and Literature, ... 259
132. Theological Schools, ... 265
133. Pharisees, Sadducees, and Essenes, ... 268
134. The Cultivation of particular Sciences, ... 273

Second Chapter.

THE FINE ARTS.

135. Poetry and Oratory, ... 277
136. Music, Singing, and Dancing, ... 280
137. Musical Instruments, ... 283
138. Constructive and Plastic Arts, ... 287

THIRD DIVISION.

STATE RELATIONS.

139. The State in its Fundamental Elements, ... 290

FIRST SECTION.

THE CONSTITUTION OF ISRAEL.

First Chapter.

THE CIVIL CONSTITUTION.

140. The Classification of the People of Israel, ... 292
141. Land and Property of the Israelites, ... 302
142. Succession and Right of Inheritance, ... 307
143. Organization of Tribes and People, ... 312

Second Chapter.

THE THEOCRATIC CONSTITUTION.

SECT.		PAGE
144.	The Congregation of Jehovah,	318
145.	The Israelitish Constitution or Theocracy,	320
146.	The Prophetic Order,	324
147.	The Earthly Kingdom,	327

SECOND SECTION.

ADMINISTRATION AND COURTS OF LAW.

First Chapter.

LAW COURTS.

148.	Idea and Origin of Civil Law and Justice,	337
149.	Judges and Courts of Law,	339
150.	Judicial Procedure,	346
151.	The Council,	350

Second Chapter.

THEOCRATIC PENAL LAW.

152.	Character of the Theocratic Penal Law,	354
153.	Detailed Punishments,	357
154.	Offences against Property,	363
155.	Offences against the Person and Life,	367
156.	Offences against the Fundamental Order of the World, and of the Kingdom of God,	374

THIRD SECTION.

ISRAEL'S POLITICAL STANDING TOWARD OTHER PEOPLES.

157.	International Relations. Treaties,	380
158.	Army and Arms,	383
159.	Conduct of War,	390
160.	Victory, its Celebration, and Conclusion of Peace,	395
	INDEX,	399

FOURTH DIVISION—*Continued.*

WORSHIP IN RELATION TO THE TIMES FIXED FOR ITS OBSERVANCE.

SECOND CHAPTER.

THE CYCLE OF SABBATHS.

§ 77. *The Weekly Sabbath.*

THE observance of the seventh day of the week or *Sabbath* (שַׁבָּת (1), τὸ σάββατον, τὰ σάββατα), by which Israel was distinguished from all other peoples as the people of God (2), was partly negative and partly positive. Negatively it consisted of the entire cessation of all work (3); positively, of a holy assembly, the doubling of the daily offering by two lambs of the first year with the corresponding meat and drink offerings (Num. xxviii. 9 f.), and the providing of new shew-bread in the holy place (Lev. xxiv. 8). Accordingly the hallowing of the Sabbath, enjoined Ex. xx. 8, or its observance as קֹדֶשׁ שַׁבַּת שַׁבָּתוֹן לַיהוָה (Ex. xxxv. 2; comp. xxxi. 15), cannot consist of "simple resting taken in itself" (4), but the resting or cessation of every kind of work can only be a means of its sanctification, the condition without which it could not be truly kept holy to the Lord. And hence the prohibition to do any work was made punishable by cutting off (Ex. xxxi. 15, xxxv. 2; comp. Num. xv. 32 ff.) (5).

The hallowing of this day is founded partly on God's resting after His creation of the world (Ex. xx. 11 comp. with Gen. ii. 3), partly on the redemption of Israel from the bondage of Egypt (Deut. v. 15); not, however, so that the creation of the world or the redemption from the bondage of Egypt is made the subject of Sabbath celebration. Indeed, the Sabbath has no one event as the subject of its observance,

but is only the day which Israel is called to sanctify to the Lord its God, because God blessed and hallowed the day at the creation of the world by resting on it. According to Gen. ii. 2, God's resting forms the completion of the work of creation. And so this rest is not merely a pattern for man's rest. Neither is it, "as being a ceasing to create, at the same time a returning within Himself, that is, into His eternal unchangeable being, wherein He now stands in contrast with the created world in its changeable being" (6). But, as the completion of creation, the rest of God is His blessedness in the contemplation of the finished work, the satisfaction of God in His work, which overflows in blessing upon the creatures. This blessedness was lost to the created world through the fall of man, its head, but not for ever; for through redemption divine mercy will again restore it. Hence the rest of God is the goal which the whole creation is destined to reach. To guide it to this goal, the people in whose history the preparation for redemption was to be made, had the Sabbath enjoined by way of compensation for the losses which accrue to man under the curse of sin, from that heavy oppressive labour which withdraws him from God (7). To this end God hallowed the seventh day, that is, He separated it from the other days of the week to be a holy day for man, by putting the blessing of His rest on the rest of this day. For it is for man "as the image of God" that this blessing and hallowing are chiefly intended. As he is ordained to the work of God (Gen. i. 28), he is also to have part in the rest of God. The return of this blessed and hallowed day is to be to him a perpetual reminder and enjoyment of the divine rest (8).

This signification of the Sabbath explains why the keeping of it through all future generations of Israel, is called a perpetual covenant and a sign between Jehovah and the children of Israel for ever, by which they shall know that *He*, Jehovah, hallows them (Ex. xxxi. 17). This, indeed, does not mean that "the creation and completion of the world is a revelation of the absolute distinctness of God from the world, of His unity, personality, and therefore also of His holiness, and that the acknowledgment of this revelation constitutes the distinctive character of the Mosaic economy in contrast to all

other religions, so that its observance is a practical acknowledgment of the revelation" (9). But a perpetual covenant is established by the observance of the Sabbath as the sign by which Israel knows, *i.e.* experiences, that it is Jehovah who hallows it. But the hallowing which Israel experiences in the observance of the Sabbath lies in the fact, that through the cessation of every kind of work it is set free from the labour, the cares and burdens of this life, that it may withdraw the soul from the dissipating influences of earthly occupations and find quickening for it in the rest of God (יִנָּפַשׁ Ex. xxiii. 12). This quickening is provided in the "holy convocation," and that in three ways. First, by meditation on the law of the Lord it is edified by God's word (10). Next, in the increased or doubled (11) burnt-offering, it finds union of soul with God, and has the body with all its members hallowed by the fire of divine grace burning on the altar. Finally, in the presenting of new shewbread it appears with the fruits of this hallowing before the face of the Lord and enjoys access to Him. Thus the Sabbath was to Israel "a day of gladness" (Num. x. 10; comp. with Hos. ii. 11), "a delight to the holy of the Lord, honourable." If Israel honoured this day, not following its own ways, nor finding its pleasure, nor speaking its words, then it should have its delight in the Lord and enjoy the highest prosperity (Isa. lviii. 13 f.) (12). This blessing from the hallowing of the Sabbath was made possible for Israel by its deliverance from the bondage of Egypt. Accordingly in the hortatory recapitulation of the commandments (Deut. v. 12–15) this divine benefit is stated as a ground for emphasizing the sanctification of the Sabbath.

Thus there is contained in the Sabbath rest the idea of the Israelitish holy day or feast, and in this idea there is presented the goal of Israel's calling to be God's people, or its blessedness in fellowship with God in His rest. Hence also the Sabbath forms the centre of the Israelitish feasts, not only because the feasts which occurred at longer intervals are grouped round the Sabbath, but also because the Sabbath rest forms the sum and substance of them all (13). Hence also the earnestness with which the law repeatedly inculcates the keeping of the Sabbath, and the severity with which it condemns the desecration of it by work.

(1) The word שַׁבָּת, an intensive form of שָׁבַת, to rest, to keep holy day, denotes the *holy day keeper*, the resting or still day. Comp. Ewald, *Lehrb. d. hebr. Spr.* § 155*c*, and 212*d*, note 1.

(2) The Sabbath was first instituted by Moses. This view is held in common with most of the Rabbins (comp. Selden, *De jure nat. et gent.* iii. 10), Eusebius (*Hist. eccl.* i. 4. 3, *Præp. evang.* vii. 6), Spencer (*De legg. Hebr. rit.* i. 4. 9), and many others, by Ewald (*Alterthümer*, p. 130 ff.), Winer (*R.W.* ii. p. 347), de Wette (*Archäol.* § 214*b*), Hengstenberg (*Der Tag des Herrn*, Berl. 1852, p. 16 ff.), and Riehm (*Theol.* p. 1308 ff.). The grounds on which older authors, *e.g.* Iken (*Dissertatt. phil.* ii. p. 26 sqq.), Jahn (*bibl. Archäol.* ii. p. 288 ff.), and more modern writers, such as Liebetrut, Oschwald, have sought to establish a pre-Mosaic observance of the Sabbath, are wholly unsatisfactory. From mention of the *week* (Gen. xxix. 27 f., viii. 10, 12), it does not at all follow that there was any observance of the seventh day; further, the passages Gen. ii. 2 and Ex. xvi. 22 ff. serve no doubt to prepare for the institution of the Sabbath, but do not contain any trace of an already existing holy day; for in Gen. ii. 2 the name שַׁבָּת does not once occur, and the event recorded in Ex. xvi., that on the sixth day a double portion of manna fell and was gathered, while on the seventh there was none to be found, contains the actual hallowing of the day by God, before He enjoins its hallowing on the people, as is evident from the fact that the people could not understand God's action in the matter (comp. Hengstenberg, *ubi supra*, p. 14 ff.). It is on this act the commandment rests: "Remember the Sabbath day to keep it holy" (Ex. xx. 8).—Again, the Sabbath institute is neither borrowed from the Egyptians, as in recent times, Baur especially (*d. hebr. Sabbat u. die Nationalfeste des Mos. Cultus*, in *d. Tübing. Ztschr. f. Theol.* 1832, p. 125 ff.), and George (*Die älteren jüdischen Feste*, p. 193 ff.), following Spencer, whom Witsius (*Ægyptiaca*, l. iii. c. 9) already refuted, have sought to prove, nor does it stand in any connection whatever with the worship of Saturn, so that with Vatke (*Theol. d. A. T.* i. p. 199) and Movers (*Phönizier*, i. p. 315) we might explain it as a modification or reformation of Saturn-worship. The view of Friedr. Delitzsch (in his translation of *Dr. Smith's Chaldee Genesis*, p. 300), that the Assyrians called the seventh day of the week Sabbath, still lacks further confirmation.

(3) "Thou shalt not do any work; thou, nor thy son, nor thy daughter, thy man-servant, nor thy maid-servant, nor thy cattle, nor thy stranger that is within thy gates" (Ex. xx. 10; Deut. v. 14; comp. Ex. xxxi. 14 f., xxxv. 2 f., and xxxiv. 21); "in ploughing time and in harvest thou shalt rest."—The idea of

work (מְלָאכָה) is not more precisely defined in the law, except that in Ex. xxxv. 3 the kindling of fire for cooking is expressly forbidden, and Num. xv. 32 ff. the gathering of wood is punished as a transgression; whence it is evident that work, in its widest sense, was to cease. Accordingly it was quite in keeping with the law, when not only labour, such as burden-bearing (Jer. xvii. 21 ff.), but travelling, as forbidden by Ex. xvi. 29, and trading (Amos viii. 5 f.), were to cease on the Sabbath, and when Nehemiah, to prevent marketing on this day, ordered the closing of the gates (Neh. x. 32, xiii. 15, 19).

(4) As Bähr still thinks (ii. pp. 532 ff. and 566), and accordingly can make good a deeper idea for the observance of the Sabbath, only by adopting an etymological absurdity of Kanne, and deriving the idea of שַׁבָּת from the word יָשׁוּב. Comp. the thorough refutation of these and similar views by Hengstenberg, *ubi supra*, p. 27 ff.

(5) Unintermitted bodily labour blunts man's capacity for occupation with divine things, prevents the soul from rising to God in devotion in order to the quickening of heart and spirit, and the strengthening of spiritual life. Therefore the cessation of labour is an indispensable condition to the right hallowing of the Sabbath. In this character it appears also in the law, where rest on the Sabbath, as on the high feast days, which comes under the same view-point, is connected with the holy assembly (Lev. xxiii. 3; Ex. xii. 16), and on the day of atonement with afflicting of the soul, fasting (Lev. xxiii. 32); nay, at this feast the cessation of work has this reason assigned for it, "for it is a day of atonement, to make atonement for you before the Lord your God" (Lev. xxiii. 8).—From this view of rest as a means of sanctification arose the custom of the pious in Israel, of assembling round the prophets on the Sabbaths for edification by divine service (2 Kings iv. 23), the origin of the later synagogue worship. This view of Sabbath observance was always held by the Jews. Thus, for example, Josephus says, *c. Ap.* ii. 17: *οὐκ εἰσάπαξ ἀκροασαμένους οὐδὲ δὶς ἢ πολλάκις, ἀλλ' ἐκάστης ἑβδομάδος τῶν ἔργων ἀφεμένους ἐπὶ τὴν ἀκρόασιν τοῦ νόμου ἐκέλευσε συλλέγεσθαι καὶ τοῦτον ἀκριβῶς ἐκμανθάνειν.* Similarly, Aben Esra on Gen. ii. 3 and Ex. xx. 8; also Philo, only expressing himself in his philosophizing way. See Hengstenberg, *ubi supra*, p. 28.

(6) Comp. Bähr, ii. p. 580.

(7) "If there is anything clear, it is the connection between the Sabbath and the fall. The work which needs interruption, unless the divine life is to be endangered by it, is not the glad unlaborious work referred to in Gen. ii. 15, it is the oppressive and distracting work described in Gen. iii. 19, labour in the

sweat of the face upon the earth, now bearing thorns and thistles." Hengstenberg, *ubi supra*, p. 12.

(8) M. Baumgarten, *Theol. Comment.* i. p. 29.

(9) Bähr, *Symb.* ii. 581 f.

(10) What מִקְרָא קֹדֶשׁ signifies is matter of dispute. Verbally false is the translation of Coccejus and Vitringa (*De synag. vet.* p. 290): indictio s. proclamatio sanctitatis; for nouns formed with מ do not denote the simple action, but the place, time, instrument, or subject of the action (Ewald, *Lehrb.* § 160*b*). Accordingly מקרא is not *convocatio* (neither is it so in Num. x. 2), but *convocatum* (κλητὴ ἁγία, LXX.), the *holy assembly*, corresponding to the Greek ἱερὰ πανήγυρις. The object of this holy assembly of the congregation (מִקְרָא הָעֵדָה, Num. x. 2), which the law does not directly determine, could be nothing else than the edification of the congregation by sacrifice and prayer, as indeed among the patriarchs calling on the Lord was conjoined with sacrifice (*e.g.* Gen. xii. 8). To these were added the reading of the law of God with meditation, and certainly also, at a very early period, sacred song; so that Josephus (*ubi supra*) is not wrong when he speaks of the people being called ἐπὶ τὴν ἀκρόασιν τοῦ νόμου. For the divine service of Sabbath, as it was held after the exile in houses of prayer expressly erected for the purpose, the so-called synagogues, is in its essential parts of high antiquity (comp. 2 Kings iv. 23 and my commentary on the passage), and certainly going back to Moses, as indeed according to Acts xv. 21 Moses has ἐκ γενεῶν ἀρχαίων in all cities those who preach him. Comp. once more Hengstenberg, p. 33 f.

(11) "It is evident that this doubling, which, as in similar cases, is to be regarded as a sort of superlative, designates the Sabbath in relation to the ordinary days of the week as the day of days, *i.e.* the highest and most important" (Bähr, ii. p. 584).

(12) In this place "the essence of Sabbath observance is placed in the most unconditional and all-embracing self-denial, the renunciation of the whole natural being and natural desires, the most unconditional dedication to God." Hengstenb. p. 35. But this Scripture view of the Sabbath rest was lost when Pharisaism arose and perverted it into the external rest of doing nothing; so that in the time of the Maccabees Jewish armies at first did not fight on the Sabbath, and let themselves be massacred by the enemy (1 Macc. ii. 32 ff.; 2 Macc. vi. 11), till at length perceiving the advantage which the enemy had thereby, they were brought to hold a truce on the Sabbath only in respect of offensive operations (1 Macc. xi. 34, 43 ff.). This microscopic system of externals meets us also in the

Pharisees of the gospel history; comp. Matt. xii. 2 ff.; Mark ii. 23 ff.; Luke vi. 1 ff.; John v. 10, vi. 1 ff.; and spun out to the utmost in the Talmud, Tract. *Schabbath* in Surenhus. ii. p. 1 sqq., where thirty-nine chief kinds of work (אבות מלאכית), each with its תולדות, are reckoned as forbidden. Comp. Winer, *R. W.* ii. p. 345 f.

(13) As a rule, the feast days and the first and last day of those feasts, which embrace a plurality of days, are holy or rest days. Hence the name שַׁבָּת is given to the great day of atonement (Lev. xxiii. 32), and to the first and seventh day of the feast of unleavened bread (Lev. xxiii. 11, 15), because on both all works were to cease. Yet the law here makes the difference which was already pointed out by Gousset in *Lex.* p. 817, that on the weekly Sabbath and on the day of atonement all work (מְלָאכָה, Lev. xxiii. 3, 28; comp. v. 30 f.), but on the other holy days of the feast only all laborious (servile) work (מְלֶאכֶת עֲבוֹדָה) is forbidden (comp. Lev. xxiii. 7, 8, 21, 25, 35, 36). For the more exact determination of this difference, it is to be observed that on Sabbath and on the day of atonement it was forbidden to kindle a fire for cooking, which was allowed on the other holy days. In Ex. xii. 16, where also work in general is forbidden for the first and seventh day of the feast of unleavened bread, the preparation of food is afterwards expressly excepted, proving that this is properly included under work. The greater stringency of the prohibition of work on the Sabbath indicates a higher degree of holiness as belonging to this day, in which it was equalled only by the day of atonement.

§ 78. *The Monthly Sabbath, or Sabbatic Month.*

The beginning of every month, or every new moon (רֹאשׁ חֳדָשִׁים), was solemnly celebrated (Num. xxviii. 11–15) according to the law by an offering in addition to the daily burnt-offering, without being a holy day with cessation of work (1). The additional sacrifice consisted of two young bullocks, a ram, and seven lambs of the first year, as a burnt-offering with the corresponding meat-offering, and a goat as a sin-offering, on presenting which the priests blew the silver trumpets (Num. x. 10).—The seventh new moon of the year, however, or the first day of the seventh month, was to be celebrated as a feast day in the strict sense, as שַׁבָּתוֹן; by resting from all work, and as a memorial of blowing of horns

(זִכְרוֹן תְּרוּעָה) by a loud blast of horns (2), by a holy convocation, and by a special sacrifice (besides the usual new moon and daily offerings), consisting of a bullock, a ram, and seven lambs of the first year as a burnt-offering, with the corresponding meat-offering, and a goat as a sin-offering (Lev. xxiii. 23–25; Num. xxix. 1–6). From the blast of trumpets this feast received the name יוֹם תְּרוּעָה, the day of (horn) sounding. By this Sabbath-like feast at the beginning, the whole month was consecrated as a Sabbatic month.

(1) Yet in after times the new moon חֹדֶשׁ is often called a feast along with the Sabbath (Isa. i. 13; Hos. ii. 11; Ezek. xlvi. 1), on which all business ceased (Amos viii. 5), the pious in Israel waited on the prophets for edification (2 Kings iv. 23), many families and tribal clans presented their annual thank-offerings (1 Sam. xx. 6, 29), a great banquet took place at Saul's court (1 Sam. xx. 5, 24), and the most devout persons down to later times omitted their fasting (Judith viii. 6).

(2) The word תְּרוּעָה is used (Lev. xxv. 9) of the sound both of trumpets (Num. x. 5 f.) and of horns (שׁוֹפָרוֹת, great horns). But though the instrument is not named here, we have not to think, with Knobel, of the silver trumpets, but only of the horns (*Posaunen*), partly because of the analogy between the seventh new moon as a day of trumpet-sounding, and the jubilee year introduced by trumpet-sounding (Lev. xxv. 9 f.); but chiefly on the ground that the use of the silver trumpet on the new moons and feast days is restricted by the law (Num. x. 10) to blowing in connection with the presenting of burnt-offerings and other victims, from which the seventh new moon could not receive the name יוֹם תְּרוּעָה, Num. xxix. 1, as if from something distinguishing it from other new moons. Besides, Jewish tradition clearly testifies to the blowing with horns. Comp. Lundius, *jüd. Heiligth.* B. 5, c. 17.

The keeping of new moons may perhaps rest on ancient custom, for many ancient peoples observed new moon as the return of the gladsome moonlight with festivities (3). Nevertheless, it was not the object of Moses by his ordinance to suppress heathen celebrations of this day (4). Rather the distinguishing of the first from the other days of the month by a special sacrifice arises naturally from the relation of the month to the single day. The congregation of the Lord was to hallow its life and work to Him by a daily burnt-offering, and so it

could not omit this at the beginning of the larger division of time formed by the month, but must observe it with divine worship by a special offering. For the single day a burnt-offering sufficed, in which the idea of atonement was subordinate to the idea of consecration to the Lord. But for the month, in view of the sins committed and remaining unexpiated during the course of the past month, a special sin-offering must be brought for their atonement, and thus on the ground of the forgiveness and reconciliation with God thereby obtained, the people might be able in the burnt-offering to consecrate their life anew to the Lord. This significance of the sacrifice of new moon was still further enhanced by the fact that, while it was being offered, the priests blew the silver trumpets that it might be for a memorial before God in behalf of the congregation (Num. x. 10). The sounding of the trumpets was meant to bring before God the prayers of the congregation, embodied in the sacrifice, that God might think of them graciously, vouchsafe forgiveness of sin and strength for holiness, and quicken them anew in the blessed fellowship of His grace.

But it was not only the close of the week as the shortest cycle of days, but also the end of the larger cycle of weeks through the lapse of the seven months, which was to be celebrated by the congregation of the Lord as a *Sabbath of months* by participation in the rest of God, that in it the congregation might edify itself by meditating on His word in holy convocation. By doubling the new moon offering, by the holy convocation, and the cessation of work, which distinguish this from the other new moons of the year, the seventh month of the year, corresponding to the seventh day of the week, is consecrated as a Sabbath or Sabbatic month. For in its first day, as the beginning or head (רֹאשׁ) of months, the whole month is hallowed, and its entire course is raised, by the Sabbatic celebration of its beginning, to the rank of a Sabbath (5). But this is so because of what the seventh month provides for the congregation. The day of atonement which falls in this month provides full expiation of all sins and removal of all uncleannesses which separate the people from their God, and the feast of tabernacles beginning five days thereafter provides a foretaste of the blessedness of life

in fellowship with the Lord. This significance of the seventh month is indicated by the sounding of trumpets whereby on the first day the congregation present a memorial of themselves loudly and strongly before Jehovah, calling on Him to vouchsafe the promised blessings of grace in fulfilment of His covenant. The trumpet-sounding of this day is a prelude to that whereby on the day of atonement every seventh year, the dawn of the jubilee, that greatest year of grace known to the ancient covenant, was proclaimed to the whole people (Lev. xxv. 9). As the seventh month forms the transition from the weekly Sabbath to the Sabbatic and jubilee years, it corresponds as the Sabbatic month, more to the jubilee than to the Sabbatic year which is forshadowed in the weekly Sabbath.

(3) Com. Isidori *Origg.* v. 33; Macrobii *Saturn.* i. 15, and others in Dougtæi *Analect. sacr.* ii. p. 132 sqq., and Spencer, *l.c.* p. 805 sqq.; also Winer, *R.W.* ii. 149 f., and Ewald, *Alterth.* p. 465.

(4) As Michaelis, *Mos. R.* iv. § 200.

(5) According to the Jewish idea, which the Apostle Paul expresses Rom. xi. 16 in the words: *εἰ δὲ ἡ ἀπαρχὴ ἁγία, καὶ τὸ φύραμα, καὶ εἰ ἡ ῥίζα ἁγία, καὶ οἱ κλάδοι.*

§ 79. *The Sabbatic Year.*

After every six years, *i.e.* after sowing and reaping had gone on for a space of six years, the land was to hold a *Sabbath* to Jehovah in the *seventh year;* the field was not to be ploughed and sown, nor the vine cut, nor their produce gathered in. What grew in the field without sowing, what the vine and olive bore without tending, belonged as a common good to every one without distinction. It was to serve for food to free and bond, maid, hireling, and stranger, and also for the cattle and wild beasts of the land (Lev. xxv. 1–7; comp. Ex. xxiii. 10, 11). As a consequence of this rest of the land, there followed for the people a cessation of tillage, their main employment. And from the stoppage of the labour, which formed their most important source of gain, there necessarily came also an arrest on the collection of debts. On this account there is enjoined on the creditor, for this year, a leaving over (שְׁמִטָּה, *i.e.* respite, not remission or acquittal) (1)

of the debts due by his countrymen (Deut. xv. 1 ff.) (2). Finally, at the feast of tabernacles in the Sabbatic year the law was to be read to the people (men, women, children, and strangers) in solemn assembly before the sanctuary (Deut. xxxi. 10–13).

(1) As is the view of the Rabbins in Mischna *Schebiit* x. 1, in Surenh. i. p. 155 sqq., and of many Christian writers, *e.g.* Hug (*Zeitschr. f. d. Erzbisth.*, Freiburg, i. p. 16). But the law says only: שְׁמוֹט, *i.e.* every creditor shall *let lie*, take off his hand from that which he has lent to his neighbour, and shall not oppress his neighbour or brother. שׁמט is also used in this sense (Ex. xxiii. 11) of the field or its produce, which was not a letting lie for ever, but only for the year. Comp. Bähr, ii. p. 570 f.

(2) The view is also without foundation, that the Israelitish slaves received their freedom in the Sabbatic year. In the ordinances regarding the Sabbath year there is not a word of this. Deut. xv. 12 does not treat of the Sabbatic year, and here, as in Ex. xxi. 2 (comp. Jer. xxxiv. 14 ff.), it is emancipation in the seventh year absolutely considered, *i.e.* in the seventh year of their servitude, which is commanded, as even Josephus (*Ant.* xvi. 1. 1) understood it.

The end and significance of the Sabbath year arise naturally from the right idea of the Sabbath in general. The rest which the land was to keep to the Lord in the seventh year (Lev. xxv. 2) had for its end neither to increase the fruitfulness of the soil by allowing it to lie fallow, nor merely to be a time of recreation for labouring men and beasts, and still less other material advantages, such as the encouragement of hunting, the securing of the land against famine by the storing of grain in magazines during the six years of cultivation, and more of the like (3). It is not the physical recreation of the land and people, needful and useful as this may be for men, cattle, and fields in this sublunary world, that God will provide for His people by the Sabbath (4), but rather true spiritual rest and quickening, which flow from its sanctification, and bring with them life and blessedness. As on the Sabbath day the congregation, so in the Sabbath year the land of the Lord, is to observe a time of refreshing, while the hand of man ceased to labour and prune the fields and fruit trees, so as to increase their produce for himself. The

land itself or the earth (הָאָרֶץ) was to be taken out of the hand of man—that hand which claims its power as its own property for its own ends—and to enjoy the holy rest with which God blessed the world with its produce after the creation. Thus Israel, as the people of God, was to learn two things. First, that the earth, though created for man, was yet not merely created that *he* might turn its powers to his own profit, but that it might be holy to the Lord and participate also in His blessed rest; next, that the goal of life for the congregation of the Lord did not lie in that incessant labouring of the earth, which is associated with sore toil in the sweat of the brow (Gen. iii. 17, 19), but in the enjoyment of the fruits of the earth, free from care, which the Lord their God gave and ever would give them, if they strove to keep His covenant and to take quickening from His law. This association of ideas is plain from the public reading of the law appointed in the Sabbatic year. This reading did not at all contemplate "merely the keeping of the law in the knowledge of the people," nor was it intended to be merely a solemn promulgation and restoration of it as a standard for the public (religious and political) life, to set aside the departures from it which in the lapse of time might have crept in (5). For had this been the object, the reading must have been appointed, not on the feast of tabernacles, but rather at the beginning of the year or the Passover. The appointing of it at the feast of tabernacles must be understood in close connection with the idea of this feast, and the object of the reading sought, in the desire to use the law to quicken the soul, rejoice the heart, enlighten the eyes, in a word, to afford to the whole congregation that blessing of the law which David praises from experience in Ps. xix. 8–15.

(3) Which Michaelis, Hug, and others in the writings cited by Winer, *R. W.* ii. p. 349, and partly Winer himself, adduce as the main advantage of the Sabbath year. Others (as George, de Wette) have condemned the law as impracticable, and as injurious if it were carried out. These objections have moved Hupfeld and Riehm to get rid of this "institution morally so prejudicial in its consequences" by explaining away the simple meaning of the words, Ex. xxiii. 10 f. Hupfeld (in his *Progr. de anni sabbatici et jobelei ratione*, p. 10 sq.)

would refer the suffixes in תִּשְׁמְטֶנָּה וְנָטַשְׁתָּה (v. 11), not to אַרְצֶךָ, but to תִּזְרָע אַרְצֶךָ (v. 10), thus making the institution mean that the field was indeed to be cultivated in the seventh year, but the produce not to be gathered in by the owner, but left to the poor and to beasts. Riehm (*Theol. Stud. u. Krit.* 1871, p. 761, and in *Hwb.* p. 1313 ff.) has rejected this explanation as utterly untenable, and sought to explain the law to this effect, that what is spoken of is "not a Sabbath year to be observed at the same time," but an intermission of the usufruct "of single properties falling in different years." For the expression אַרְצֶךָ is not to be understood of the land of Israel, but denotes in the narrower sense, "thy, that is, the individual Israelite's ground," as appears from the following לְכַרְמְךָ לְזֵיתֶךָ and from the word יָדֶךָ used in its place in Lev. xxv. 3 (p. 762 f.). But though we should admit these arguments, the hollowness of which is obvious at a glance, yet, according to Riehm's view, the word אַרְצֶךָ does not denote the property of each individual Israelite, but only six-sevenths of his ground. For the law according to him says, thy land shalt thou sow six years, *but so that thou shalt yearly leave the seventh part thereof fallow*, in order that thus in the course of seven years every property may enjoy the agricultural advantage of lying fallow for a year. —The proposition will not escape the fate of Hupfeld's explanation "of having found no acceptance."—Besides, the doubts raised against the practicability of the law of the Sabbatic year are sufficiently refuted by history. The keeping of the Sabbath year is very distinctly attested by 1 Macc. vi. 49, 53, and Josephus, *Antiq.* xiii. 8. 1, xiv. 10. 6, xv. 1. 2; *de bell. jud.* i. 2. 4; and according to Josephus, *Antiq.* xi. 8. 6, it was also observed by the Samaritans.

(4) In which even Bähr (ii. p. 602 f.) finds its main purpose.

(5) So Bähr, ii. p. 603.

§ 80. *The Jubilee Year, or Year of Freedom.*

After the lapse of seven times seven years, on the tenth day of the seventh month, in the forty-ninth year, on the day of atonement of the seventh Sabbatic year, the trumpet was to sound throughout the whole land, and the *fiftieth* year (1) was to be announced and hallowed as jubilee year (שְׁנַת הַיּוֹבֵל) (2), or year of freedom (שְׁנַת דְּרוֹר) (Ezek. xlvi. 17) (3), by the proclamation of freedom to all the inhabitants of the land, that every man might return to his property and family. As in the Sabbatic year there was rest for the whole land, inasmuch

as it was not cultivated, and what grew of itself without sowing or care of man was left in the field for any one to eat. The freedom proclaimed embraced not only persons, but also property. Every Israelite, who through poverty had sold himself to one of his countrymen or to a strange settler in the land, if he had not been able before the jubilee year to purchase his freedom, and had not been redeemed by a kinsman, was then to go out free, not in his own person merely, but also with his children, and again return to his kindred and to the inheritance of his fathers (Lev. xxv. 39–55) (4). Similarly, all property in fields and houses situated in villages or unwalled towns, which the owner had been obliged to sell through poverty, and which neither he himself nor his next of kin had redeemed, was to revert without payment to its original owner or his lawful heirs (Lev. xxv. 8–16, 28, 31) (5). The only exceptions were houses in walled cities, which remained with the buyer for his descendants, unless they were redeemed within a year after the sale (Lev. xxv. 29, 30) (6), and the fields, which fell to the sanctuary in virtue of a vow which, unless again redeemed by the owner, had been sold and thereby rendered unredeemable, so that they, even in the year of jubilee, did not return to the original owner, but, being holy to the Lord as devoted land, became the possession of the priests (Lev. xxvii. 17–21) (7).

[The *idea* of jubilee, according to Dr. Keil, is not found in the Hebrew jobel, note 2. The English *word* jubilee has been used in the translation to avoid the intolerable circumlocution, year of the sounding of trumpets.—TR.]

(1) Not the forty-ninth; as is held by the Gaonim, following R. Jehuda, the chronologists Scaliger, Petavius, Calvisius, Gatterer, Franck, and lastly Hug and Rosenmüller. Decisive against this view is the fact "that in Lev. xxv. 10 ff. not only is the fiftieth year expressly named as the year of jubilee, but the forty-nine years which make seven Sabbatic years are expressly distinguished from it" (Winer, *R. W.* i. p. 623). Equally untenable is the hypothesis of Hug. According to him, the seventh month of the forty-ninth *sacred* year coincides with the beginning of the fiftieth *civil* year, so that the last six months of the forty-ninth sacred year, inasmuch as they were also the first six of the fiftieth civil year, shared the

designation of the jubilee year, and only the forty-ninth was a fallow year. This view is overturned by the simple fact, that the lawgiver could not possibly have spoken of the forty-ninth and fiftieth years *according to different reckonings*, with which, besides, the promise would be incompatible, v. 20 ff., that the fruit of the sixth year would yield "enough for *three years*." This supposes two fallow years immediately following one another.

The real state of the case is this: sowing and reaping having gone on continuously for six years (v. 3), the sowing in the late autumn for the seventh year, the sacred beginning of which was about four months later, was omitted. But when it was simply the Sabbatic year, there was again in the late autumn, or last third, after the fields had lain fallow for a full year, a sowing for the following one, and so in it there was a harvest. Only in the case when the jubilee year followed, the sowing towards the end of the seventh Sabbatic or forty-ninth year was omitted, so that in the eighth or fiftieth year also there could be no harvest, and not till autumn of the fiftieth year did the sowing for the fifty-first again take place. Only in this case, *i.e.* when the Sabbatic was followed by the jubilee year, was it necessary to eat of the old till the ninth year, when its harvest came in. — Such is also the view of the Talmud (*Rosch haschschan*. fol. 8. 2, 9. 1), and of the most of the Rabbins, who make the Sabbatic and jubilee years begin with the month *Tisri* in autumn; and this view is undoubtedly more correct than that of Ideler (*Hdb. d. Chronol.* i. p. 502 f.), who thinks that the fields lay fallow from the middle of the seventh to the middle of the eighth, and in the jubilee year from the autumn of the forty-ninth year for two years to the harvest of the fifty-first or first year of the new jubilee period. According to this view, which is also held by Winer and others, the festival-half of the Sabbatic year would be filled with the full work of tillage.

(2) Comp. J. G. K. Kranold, *De anno Hebræorum jubilæo*, Gött. 1837, and G. Wolde, *De anno Hebr. jub.*, Gött. 1837, 4.— The name יוֹבֵל, which the fiftieth year bears (Lev. xxv. 10 ff.), is variously explained. Of the different explanations, concerning which see Kranold, *ubi supra*, p. 143 sqq., only two need be noticed. The one is still maintained by Gesenius (*Lex.*) and Wolde, which takes the word *onomatopoetically* in the sense of *jubilee*. The other derives the name from יָבַל, to stream violently, with noise, and understands יוֹבֵל of the strong sounding notes of the trumpet streaming far and wide with which the year was proclaimed throughout the land. Conclusive *for*

this explanation and against the former is the use of יוֹבֵל elsewhere in Ex. xix. 13, Josh. vi. 5, and the analogy of יוֹם תְּרוּעָה for the new moon of the seventh month, which also derives its name from the blowing of trumpets. Comp. Kranold, p. 12 sqq., and Bähr, ii. p. 573 ff. Accordingly שְׁנַת יוֹבֵל signifies not year of *jubilee*, but year of the *sounding* (of trumpets).

(3) This name seems to have been formed by Ezekiel merely from the idea of the year.

(4) Hereby ownership of the person was changed into a matter of hire, as the law in vv. 40 and 53 expressly says; and in the case of a sale, only the produce of the labour for the interval between it and the jubilee year was paid for.

(5) This holds also of the fields which, though bought, not inherited property, had been vowed to the sanctuary by their owner. For these, too, reverted without payment to the hereditary owner (*i.e.* the seller, not the buyer who had vowed them) as his hereditary lot in the land (Lev. xxvii. 22–24). So with the houses of the Levites in their cities and the fields annexed to them, which, if they had sold and not again redeemed them, came back to the Levites in the jubilee without payment of a farthing (Lev. xxv. 32–34). In the much misunderstood clause: וַאֲשֶׁר יִגְאַל מִן־הַלְוִיִּם (v. 33), "if a man purchase of the Levites," the use of גאל, in the sense of *purchase*, is best explained by the remark of Hiskuni: Scriptura utitur verbo redimendi non emendi, quia quidquid Levitæ vendunt ex Israelitarum hæreditate est, non ex ipsorum hæreditate. Nam ecce non habent partes in terra, unde omnis, qui accipit aut emit ab illis est acsi redimeret, quoniam ecce initio ipsius possessio fuit (see in Baumgarten, *in loc.*). Thus every sale of a piece of ground was, strictly speaking, only a leasing of it for a certain number of years, since only that number of harvests was sold (v. 15 f.).

(6) The law itself gives the reason for this exception, when it thus explains v. 31 why houses in villages go out free: "they shall be reckoned with the fields of the country." Hence it is clear, that in the jubilee year only that became free which belonged to the ground and soil which the Lord gave His people to inherit. The possession of houses in unwalled cities, no doubt mostly inhabited by labourers, tradespeople, artisans, was not so immediately bound up with this inheritance, that the buying or selling of such houses would affect the share of the land originally assigned to each. Comp. Bähr, ii. p. 607 f.

(7) According to Josephus (*Antiq.* iii. 12. 3: ἐν ᾧ οἱ χρεώσται τῶν δανείων ἀπολύονται), all debts were also remitted or cancelled.

But as the Bible account says nothing of this, and the Rabbins teach the contrary (*præstat Sabbaticus annus Jubilæo eo quod remittit debita, jubilæum vero non,* Maimon.), we can attach no importance to this statement.

If in the jubilee year the idea of the Sabbath reaches its fullest development and temporal perfection, it cannot have had merely a politico-economical object. It cannot have been intended merely to restore the State to its original integrity, "in order that all, which the long course of time had imperceptibly thrown into confusion in its institutions and order, might return to a condition of purity, and rise, like a new State with new powers," or to effect a re-creation or regeneration of the whole State (8). No doubt in the law itself the return of every one to his possession and family (ver. 10) is given as the divine intention of the jubilee year. But that neither the main object of this institution nor its fundamental idea can be thus exhausted, may be gathered from the fact, that the rest from field labour common to the jubilee with the Sabbatic year has no internal connection either with the restoration of the State to its integrity or with the liberation of slaves. Besides, the names יוֹבֵל and שְׁנַת דְּרוֹר, *jubilee* and *free year,* have not on this view their full justification.

The law states three respects in which the jubilee year is hallowed, *i.e.* separated from the other years: (*a*) No sowing nor reaping, nor gathering from the unpruned vine (ver. 11); (*b*) the reversion of properties, which had been sold because of poverty, to their original owners (ver. 12 ff.); and (*c*) the emancipation of those Israelites who through impoverishment had become slaves (ver. 39 ff.). The last two particulars make it a year of grace. But to the freedom which was to be proclaimed throughout the land to all its inhabitants this also pertained, that the labour of the field should cease, and every man could eat freely what the land produced without sowing and tilling. Not only was the soil to enjoy the holy rest, but man was to be freed from the sore labour of sowing and reaping, and in blessed rest to live and enjoy the bounty which the Lord had provided for him in the sixth year (ver. 24), and gave him during the two fallow years without work. Thus the jubilee year became one of freedom and grace to all the suffering, bringing not only redemption to the captive and

deliverance from want to the poor, but also release to the whole congregation of the Lord from the sore labour of the earth, and representing the time of refreshing (Acts iii. 19) which the Lord provides for His people. For in this year every kind of oppression was to cease, and every member of the covenant people find his Redeemer in the Lord (9), who brought him back to his possession and family. Thereby, no doubt, the State was more or less "restored to its original condition, as ordered by Jehovah—to its integrity." Thereby also the people were, on the one hand, "kept in constant mindfulness of their position as servants of Jehovah;" on the other hand, "their feeling of freedom was cherished in relation to man and other peoples." But this "restoration" and "*restitutio in integrum*" form only a subordinate interest (10), not the chief object of the jubilee year. Its main idea is the ἀποκατάστασις τῆς βασιλείας τοῦ Θεοῦ, *i.e.* the restoration of all that has been destroyed by man's sin in the course of time, the entire removal of the slavery of sin, the setting up of the true freedom of the children of God, and the emancipation of the creature from the bondage of vanity, under which it groans because of man's sin (Rom. viii. 19 ff.). This year of grace instituted by the Lord, which according to Isa. lxi. 1–3, the promised One, anointed by the Spirit of the Lord, will bring to the weary and heavy-laden, and for which we too, who have received the first-fruits of the Spirit, wait with eager longing (Rom. viii. 23), is foreshadowed by the jubilee and free year of the Israelitish theocracy.

How it got its name *Jobel*, from the strong, far-sounding note of the *Shophar*, with which it was proclaimed throughout the whole land, is easily understood. The long and loud sounding of the trumpet (11) accompanied the manifestation of God on Sinai when He came to establish His covenant with Israel, and ever after the far-sounding note of the *Shophar* became consecrated as a symbol of the proclamation of every new revelation of the Lord, in order to the completing of His covenant (12). At Sinai, when the *Jobel* sounded, the people were to ascend the mountain (Ex. xix. 13) to celebrate their union with the Lord. And in like manner the *Jobel* in the seventh month of the fiftieth year was to proclaim the opening of the year of grace, which was hallowed

to bring redemption to God's holy people from all want, and to guide them to His rest. But the entrance into this rest presupposes full forgiveness of sin; therefore was the jubilee year proclaimed over all the land on *that* day on which the atonement for all sin was carried out.

(8) The view of Hug, *ubi supra*, p. 31; Ewald, *Alterth.* p. 493 f.; Winer, *R. W.* i. p. 624 f., and others. Even Bähr (ii. p. 604 ff.), though he (p. 609) designates the political standpoint as wholly subordinate for the Lawgiver, and the religious as the dominant one, does not really rise above this view. For he reduces the idea of the bringing back,—return and restoration,—which comes so decidedly into prominence in the jubilee year, to the restoration of the theocratic State to its integrity.

(9) To be remarked are the series of exhortations included in the law of the jubilee year, requiring the Israelite not to oppress his neighbour, to set free the property and person of the impoverished (Lev. xxv. 14, 17, 25, 36 f., 39 f., 43, 46–48 f., 53.

(10) Wherein Bähr, ii. 605, finds the main idea.

(11) Comp. the קוֹל שֹׁפָר חָזָק מְאֹד (Ex. xix. 16, 19). Comp. also xx. 18.

(12) Bähr's attempt to explain the trumpet-sounding as קוֹל יְהוָה (ii. p. 594 ff.), is as unfounded as Hengstenberg's observation (*Offenb.* i. p. 432 ff.), that "the trumpet sound has no definite meaning," and in connection with the jubilee year merely denotes "that an important time for the land has arrived." That the blowing of the שׁוֹפָר at the Lord's command has the meaning which we have developed above, is further confirmed by the blowing of horns at the taking of Jericho (Josh. vi.). For since Jericho with its walls represented the Canaanitish power in general, its fall was a picture of the overthrow of the world-power before the Lord, by which He fulfilled the covenant promise, to give His people the land of Canaan, and established His kingdom on the earth. Because of this event the blowing of the trumpet is used by the prophets as a symbol of the revelations of the Lord in great judgments, whereby through the destruction of one world-power after another His kingdom is carried on to that completion which it will reach when, with the last trumpet (1 Cor. xv. 52), the Lord Himself, with the trump of God, will come down from heaven to awake the dead, to transform the living, and to swallow up death in victory.

As to the observance of the jubilee year, we have no definite historical testimonies. The reference to it which many exposi-

tors find in Isa. xxxvii. 30 is uncertain. Comp. Delitzsch on the passage. But in Ezek. vii. 12 f. there is not only a reference to the jubilee law, but it is assumed that it was held before the exile (if not regularly). Ezekiel has therefore (xlvi. 17) taken up the jubilee institution into his prophecy of the reformation of the theocracy.

THIRD CHAPTER.

THE FIRST SERIES OF YEARLY FEASTS.

§ 81. *The Feast of Passover.*

The keeping of the *Passover* (פֶּסַח, *πάσχα*, according to the Aramaic, פִּסְחָא) was as follows: Every head of a family (1) chose a male of the first year without blemish from the small cattle (צאן), *i.e.* from the sheep or goats (2), on the tenth day of the first month (Abib or Nisan). On the fourteenth the father began with the slaying of this victim between the two evenings, *i.e.* towards sunset (Deut. xvi. 6) (3), for his family (בֵּית אָבוֹת), with which, if it was too small to eat a lamb, the neighbouring family might unite (4). A bunch of hyssop was dipped into the blood which flowed from the animal, and applied to the two posts and the upper lintel of the door of the house where they had assembled for the meal. The animal itself, of which no bone was allowed to be broken, was wholly roasted with fire (5), with head, legs, and inwards, and when it was perfectly done it was eaten that same night with unleavened cakes and bitter herbs (6), by all who were in the house; but only if they were circumcised children of Israel, or in the case of slaves or strangers, only if they had been received by circumcision into communion with the covenant people, for no one uncircumcised could partake of the feast. Those who ate were to have their loins girded, shoes on their feet, and a staff in their hand, to be ready for the march out of Egypt that same night. What they could not eat was to be burned on the morrow, and nothing of it to be carried out of the house (Ex. xii. 1–13, 21–23, 28, 43–51).

This solemnity was to be observed by Israel as an everlasting ordinance for future generations (vv. 14–24). But

with its repetition in the promised land, modifications were introduced (7). The paschal lamb was no longer slaughtered and eaten in every house, but at the central sanctuary (Deut. xvi. 5 f.); the blood was no longer applied to the posts and upper lintels of the door, but sprinkled on the altar by the priests; and the fatty portions were burned on the altar, as in the case of the sin and holy [see vol. i. p. 254] offerings (8). The Levitically unclean were also excluded from the feast. But these, and all who at the legally appointed time were on a distant journey, were to hold it on the fourteenth of the second month, as the law prescribed. The man who neglected the feast was to be cut off from his people (Num. ix. 6–14) (9).

(1) The text says: כָּל קְהַל עֲדַת יִשְׂרָאֵל (Ex. xii. 6; comp. ver. 3), which means, not the whole assembled congregation of Israel (de Wette), but, as Vitringa (*Observatt. ss.* lib. i. c. 3, § 9) explains: קהל *universam Israelitarum multitudinem notat, nemine excepto.* The ordinance means: "The slaying shall be done by the whole people (the entire congregation) at once, simultaneously" (Bähr, ii. p. 615).

(2) So Ex. xii. 5, which was still customary in the time of Josiah (2 Chron. xxxv. 7). Later, however, it became the fixed practice to take a *lamb.* Accordingly the Chaldee paraphrast always renders שֶׂה by אִמְרָא, lamb.

(3) The meaning of בֵּין הָעַרְבַּיִם (Ex. xii. 6) is disputed among the Jews. The Karaeans (see Trigland, *De secta Karæor.* c. 4) and Samaritans (Reland, *De Samarit.* § 22) understand it of the time between the disappearance of the sun below the horizon and the time of total darkness; so also Aben Ezra on Ex. xii. 6. But the Pharisees and Rabbanites understand it of the time when the sun begins to descend to his real setting (from 3 to 6 o'clock in the afternoon). This was the temple practice so early as the time of Josephus (*de bell. jud.* vi. 9. 3), and is also the view of the Talmud (Mischna *Pesach* v. 3). On the contrary, the former explanation is rendered more probable by the כְּבוֹא הַשֶּׁמֶשׁ (Deut. xvi. 3) *circa occasum solis,* and is also confirmed by the ordinance: to light the holy lamps between the evenings (Ex. xxx. 8).—Hitzig's hypothesis (*Ostern u. Pfingsten,* p. 16 f.), that the two evenings are the hours before and after sunset, and that "between" denotes the point of time in which these hours meet,—a border-line between both days,—is, apart from the groundless assumption that the fourteenth was a Sabbath, refuted by the fact that the daily evening offering (burnt-offer-

ing and incense-offering) was to be presented "between the two evenings" (Ex. xxix. 39, 41, xxx. 7 and 8; Num. xxviii. 4), which could hardly have taken place at the border time between the day which had just come to an end and that which was beginning. Comp. J. V. Gumpach, *Alttestamentl. Studien* (Heidelberg, 1852), p. 224 ff.

(4) In Ex. xii. 4 we read: "If the household be too little for a lamb, then shall he (the father) and his neighbour next unto his house take one, according to the number of his souls; according to every man's eating ye shall make your count for the lamb." Jewish tradition fixes the number of persons at ten. Comp. Jonathan, *ad h. l.*, and Josephus, *de bell. jud.* vi. 9. 3.

(5) According to George (*die alt. jüd. Feste*, p. 93), the requirement: "not sodden in water (מְבֻשָּׁל), but roasted with fire (צלי אֵשׁ)" (Ex. xii. 9), is in direct contradiction to Deut. xvi. 7: "Thou shalt seethe (בִּשַּׁלְתָּ) and eat it." Only בִּשֵּׁל means neither "seethe" nor "roast," but "to prepare thoroughly." If this is done by seething, then the words "in water" are added; if by roasting, the words "with fire," as appears from 2 Chron. xv. 13. But in Deut. xvi. 5, Moses regarded the more exact description as superfluous, because the original law (Ex. xii.) was as express on the point as it could possibly be. To roast sheep and lambs whole is otherwise not uncommon even yet in the East. Comp. Rosenmüller, *A. u. N. Morgenl.* i. p. 304 f.

(6) מְרֹרִים (Ex. xii. 8; Num. ix. 11, LXX.), πικρίδες, Vulg. *lactucæ agrestes, i.e.* endives, wild lettuce; and these herbs are eaten, according to Niebuhr, by the Jews of the present day in Egypt and Arabia with the paschal lamb. The Mischna (*Pesach* ii. 6) reckons to these bitter herbs: החזרת והעולשין והתמכא וההרחבינה והמרור, *i.e.* according to Bochart's (*Hieroz.* i. p. 691 sqq., ed. Lips.) learned investigation: *lactuca, intybi genera, parthenium* (or *raphanum*, radish), *urtica* and *lactuca amara*. Comp. also Celsii *Hierobot.* ii. p. 217 sq.

(7) The Rabbins enumerate nine such diversities. Comp. Carpzov, *Appar.* p. 406, and Lightfoot, *Opp.* i. p. 727.

(8) Comp. Mischna *Pesach* vv. 6 and 10. The blood-sprinkling on the altar is attested by 2 Chron. xxx. 17 and xxxv. 11. For the burning of the fat on the altar we have no biblical testimonies; for the passage adduced by Chr. B. Michaelis and Kurtz [Eng. tr., Messrs. T. & T. Clark, vol. ii. p. 299] does not treat of paschal lambs, but of burnt-offerings. The slaying of the paschal lambs took place in the outer court of the temple, and was carried out by every Israelite who was Levitically clean, the Levites being at liberty to help. Comp. 2 Chron. xxxv. 5 f. with xxx. 17.

(9) Only males were required by the law to appear at the

national sanctuary at this feast (Ex. xxiii.). This was held fast by the Karæans. On the contrary, the school of Hillel extended the obligation to present the Pesach also to women. Comp. J. Triglandii *Diatribe de secta Karæorum*; c. iv. (p. 28 in *Syntagmatis de sectis Judæorum*, P. ii., Delphis. 1703).—"Israelites who were not resident in Jerusalem were allowed by the inhabitants to have the necessary apartment free of charge (*Babyl. Joma* xii. 1; comp. Wetstein on Matt. xxvi. 18), in return for which they presented the skin of the paschal lamb, and the earthen vessels which had been used. But the number of Jews attending the passover was much too large (Joseph., *bell. jud.* ii. 14. 3, vi. 9. 3) to admit of their finding accommodation in this way (the circumference of the city amounted to something more than a German mile [about five English miles]). Most of them might therefore camp before the city, and eat the paschal lamb in tents, like the Mohammedan pilgrims to Mecca at the present day." Winer, *Real-Wört.* ii. p. 200.

The name פֶּסַח, *sparing* (10), is given to this feast from the fact that Jehovah spared the Israelites (פָּסַחְתִּי עֲלֵיכֶם, Ex. xii. 13), passed over (ver. 27) their houses sprinkled with the sacrificial blood, when He slew the first-born of Egypt (Ex. xii. 12 f., 27). This sparing of Israel is the beginning of its redemption from the bondage of Egypt, and of its exaltation to be God's free people. As a sign that God would spare them, they were to put the blood on the posts and upper lintels of their doors. The blood was atoning sacrificial blood; for the paschal lamb was a sacrifice (זֶבַח) (11), which combined in itself the significance of the later sin-offerings and holy offerings, *i.e.* it shadowed reconciliation as well as glad fellowship with God (12).—As a sacrifice appointed by the Lord, the lamb suffered for the father of the family, who offered it for himself and his house, representing death as the effect of sin; and through its blood his (the offerer's) soul was translated into the place of God's sin-forgiving grace, and rescued from the effect of the wrath due to sinners. This place in all later celebrations was the altar, where the Lord in His kingdom vouchsafed to His congregation grace, salvation, and life. But at the first celebration in Egypt, when Israel had no fixed sanctuary for the revelation of His name, the houses inhabited by the Israelites were converted into such places of grace or altars (13), and the blood put on the

posts and upper lintel of the door (14) representing the house, was declared to be the sign that he who is in the house is to be spared (15) the stroke which is to fall on the Egyptians, the Lord vouchsafing to *that* house (family) forgiveness of sins. With this sparing and reconciliation accomplished through forgiveness of sin there is immediately associated the meal, in which Israel was to celebrate *communion* with the Lord, *i.e.* its adoption into God's family. The *sacrificium* becomes the *sacramentum*, the sacrificial flesh a means of grace, whereby the Lord takes His spared and redeemed people into the fellowship of His house, and provides it with food for its soul-quickening (16). This food consists of flesh and bread, the usual articles of human nourishment; but the flesh is holy, sacrificial flesh consecrated to the Lord; the bread is unleavened, *i.e.* holy bread, and thus both fitted to be a holy nourishment for the natural and spiritual life, food not only satisfying the psychical, but also the pneumatic nature, and developing the powers of the higher life.

To this fundamental idea of the meal correspond the special prescriptions regarding this sacrificial feast. *In the first place* the call: "the whole assembly of the congregation of Israel shall kill it, and shall take of the blood and put it on the side-posts and on the lintels" (Ex. xii. 6 f.), was in harmony with the call addressed by the Lord to the whole people to be a kingdom of priests (Ex. xix. 6). For though the slaying of the victim pertained to every Israelite, dealing with the blood was the exclusive right of the priests. But when the people at Sinai fled from the face of the Lord, asking a mediator between them and Him, and receiving one in the person of the Levitical priests, they lost this right, so that at the later celebrations of the passover the sprinkling of blood even on these occasions became the business of these mediators (17). *So also* with the prescriptions: "to roast the lamb without breaking a bone of it, with its head, legs, and inwards, and not to seethe in water" (vv. 9, 46) (18). If we consider the internal connection of these various particulars, it is obvious that the roasting instead of seething cannot be accounted for by the ease and rapidity of the process (19), but this kind of preparation is commended by

the fact, that "all decomposing of the flesh with a foreign substance was avoided, and so it in its eatable condition was still pure lamb's flesh, and the lamb came to the table as an undivided, perfect whole" (20). By the oneness and integrity of the lamb given them to eat, the partakers were to be united into an undivided unity and fellowship with the Lord, who had prepared the meal for them (for this comp. especially 1 Cor. x. 17) (21). This oneness and fellowship were also represented by there being *one* lamb ordained for a *Beth-Aboth*, and for *one* house or family. The same appears in the arrangement, that if two families ate of it because of there being too few in number, they were to come together for this purpose into *one* family in *one* house, a united whole; finally, from the fact that even of the flesh none was to be carried abroad from the house (ver. 46). To complete this idea of fellowship in one at this feast, none of it was to be left over till the morrow with a view to still using it as food; but if all could not be eaten up at the one feast, the remainder, as in the case of all holy offerings, was to be burned with fire, and so annihilated. — *Further*, the prescription: "with unleavened cakes and bitter herbs shall ye eat it" (ver. 8). The bread baked unleavened, *i.e.* without leaven, the symbol of spiritual corruption (see § 41, vol. i. pp. 262 and 265), symbolizes the spiritual purity after which Israel in covenant with the Lord is to strive. The bitter herbs (מְרֹרִים, strictly bitternesses), as a relish to the roast flesh and sweet bread, were not merely intended as seasoning for the flesh, to make the sweet flesh of the roasted lamb more palatable (22), but were intended first to call to mind the bitter experiences which the Israelites had suffered in Egypt (Ex. i. 14), and also to point to the bitter experiences in this sinful world generally which Israel has constantly to taste in its natural being, but which in its spiritual being it is to overcome in connection with every repetition of the passover, through the flesh of the lamb slain for its sin (23).—*Finally*, the command: to partake of the meal in the attitude of pilgrims ready for a journey, held only for the first celebration in Egypt, where, called forth by the circumstances of the case, it was intended to point to the march out of Egypt to be entered on immediately after the feast (24).

(10) The root-meaning of פָּסַח is *to go*, or *leap over*, hence מִפְסָח, a place of passage; then figuratively, *to overlook*, equivalent to, *to spare* (Ex. xii. 13). There is no proof that in Arabic (Hengstenberg) it originally denotes *to ransom*. The meaning also of פִּסֵּחַ, the *limping* one, is to be referred to *overleaping*. If Philo, *vita Mos.* iii., uses for it the word διαβατήρια, he only means thereby to designate the Passover as a sacrifice for a successful exodus. For the name διαβατήρια is thus explained, *dicebantur sacrificia pro transitu i. e. pro felici expeditionis successu, quibus si non esset litatum expeditio in aliud tempus rejiciebatur.* Bochart, *Hieroz.* i. 629, ed. Lips. Comp. also Bähr, ii. p. 627, note.

(11) This is disputed by many older Protestant historians, Chemnitz, Gerhard, Quistorp, Varenius, Dorscheus, Leusden, etc. (comp. Lundius, *jüd. Heiligth.* v. 12, § 80, and Carpzov, *Appar.* p. 396 sq.), from polemical zeal against the Catholic doctrine of the sacrifice of the mass; but in more modern times only by Hofmann (*Weiss. u. Erf.* i. p. 123, and *Schriftbew.* ii. 1, p. 270 f.) from defective insight into the nature of sacrifice. On the contrary, even many older writers (Brochmann, Hackspan, Bochart, Lundius, etc.) vindicate its sacrificial character. Decisive for this view is the designation זֶבַח, for זָבַח nowhere means merely *to slay*, like טָבַח or שָׁחַט; not even in Prov. xvii. 1, where זִבְחֵי רִיב are strife-offerings, *i.e.* fat pieces of sacrifice, which are eaten in a house where there is strife (Ewald); nor in 1 Sam. xxviii. 24, where וַתִּזְבָּחֵהוּ is to be translated: "she sacrificed it (the fatted calf) to the king." It is impossible to determine the meaning of זבח from the improper use of the word in both these places. And זֶבַח לַיהוָה (Ex. xii. 27) is always a real sacrifice. Still less weight has Hofmann's objection, that the lamb was not a מִנְחָה, for its author could not but know that מנחה in the law is the technical expression for unbloody sacrifices.

(12) Most recent authors reckon it to the class of the זִבְחֵי שְׁלָמִים, "which are also (Ex. xxiv. 5) before the more exact regulation of sacrifice, and whose distinguishing peculiarity is the sacrificial meal partaken of in common." Bähr, ii. p. 632. Kurtz also (*History of the Old Covenant*, ii. p. 298, comp. *Opferc.* p. 316 [Eng. tr. p. 364 f.]) calls it "a distinct kind of *Shelamim*." Hengstenberg, on the other hand (*Ev. K.Z.* 1852, p. 124), explains it as a sin-offering, and both Baur (*Tüb. Ztschr.* 1832, 1) and Ewald (*Alterthümer*, p. 467), expiatory offering. Both meanings are one-sided. The right interpretation is found already in Harnack, *Der christl. Gemeindegottesdienst im apostol. und altkathol. Zeitalter*, p. 191 f.

(13) As the Rabbins acknowledged. Comp. Reland, *Antiq. ss.* iv. 3, 4.

(14) The door or gate by which one goes out and in, which determines the inhabiting of the house, is to the Oriental, on this account, its most characteristic part, and hence often stands for the building itself to which it leads. (Comp. the "within thy gates," for "within thy cities," and the name "Porte" for the palace of Oriental sovereigns (Esth. iv. 2, 6), and Rosenmüller, *A. und N. Morgenl.* i. p. 123.) But of the door again it is the posts and upper lintels which form the most characteristic part, and on them, therefore, because the door itself stood open and was not always wholly seen from without, there was written whatever stood for the whole house, *i.e.* for its inhabitants (Deut. vi. 9; Bähr, ii. p. 633).

(15) Excellently Bochart, *Hieroz.* i. p. 679, ed. Ros.: Non quod in agni sanguine naturalis esset ulla vis, aut quod externo signo Deus egeat, ut suos dignoscat ab hostibus et Israelitas ab Ægyptiis. . . . Novit Dominus, qui sint sui, 2 Tim. ii. 19. . . . Itaque *hoc signum Deo non datur, sed Hebræis, ut eo confirmati de liberatione certi sint.* In opposition to Baumgarten (*Theol. Comm.* ii. p. 465) and Kurtz (*History of the Old Covenant*, ii. p. 303), it is to be remembered that the Scripture text (Ex. xii. 13) expressly says, "and the blood shall be *to you* for a token upon the houses where ye are."

(16) Hofmann (*Schriftbew.* ii. 1, p. 271) holds this meal to be one appointed by God, but not an act of divine worship, and allows the latter character only to the later passovers, when the blood was brought to the altar. He was already rightly answered by Harnack, *ubi supra*, who says that this distinction can neither be carried through, nor does it correspond to the state of the case; and he adds, by way of explanation: "Neither of these excludes the other, but both must come together in every holy action; for as the execution of a divine ordinance—one that is directly bearing on man's relation to God—is always a part of divine worship, so conversely there is no true divine worship without God's ordinance and promise. *Every* celebration of the passover was both of these at once, and the difference between the first and succeeding ones is partly formal, necessarily arising from the distinction that came in between temple and house, priest and people; partly material, in so far as the first celebration founded a relation which was attested and preserved as such by the later ones, the former thus having an originating character, the latter a memorial and conservative one."

(17) Accordingly, all those are in error who, with Bähr (ii. p. 632 f.), following Philo, find in the supposition that the whole congregation carried out the slaying of the victims, a

proof for the proposition, "that at the passover the whole people are priests, have a priestly calling."

(18) Since all sacrificial flesh intended to be eaten, even in the case of the most holy offerings (Num. vi. 19), was sodden.

(19) So Winer, *R. W.* ii. p. 200, referring to Hottinger, *jus. Heb.* p. 23, where, in a Rabbinical passage which is quoted, the haste of the exodus is given as a secondary ground, but as the main ground: hæc consuetudo est filiorum regiorum et principum; also Hofmann (*Weiss. u. Erf.* i. p. 123) and Bähr (ii. p. 636). The latter thinks: "Seething and cooking suppose vessels, house-gear, and house and hearth to boot, settlement and residence; hence, among the ancients, soldiers on the march and in the field, where they were without the hearth and cooking utensils of their homes, used to prepare flesh immediately by fire, *i.e.* consequently, to roast or broil; such food prepared with fire Plato directly calls μάλιστα τοῖς στρατιώταις εὔπορα (comp. Spencer, *l.c.* p. 309). At its exodus from Egypt, Israel appeared as Jehovah's army, now entering on its warlike march (Ex. xii. 41). Accordingly, not only by the dress of the partakers, but by the preparation of that which they ate, it was signified, that they had now done with their stay in Egypt, that Israel was no longer settled there, but was leaving and entering on its martial journey to the promised land." But this deduction leaves two things out of account: (1) That the Israelites, when they prepared the lamb, had not yet left house and hearth, and consequently must still have had the necessary utensils; (2) that the parallel with the conduct of soldiers on the march seems far from the point, because soldiers neither take care that the animal be roasted undivided, nor that none of it remain uncooked. But to have a whole lamb of the first year roasted with fire undivided, without a bone of it being broken, and so that the flesh shall be thoroughly done, presupposes more time and care than seething the flesh. Belon indeed met shepherds in the East who, using their staves as spits, roasted whole sheep, to sell them to travellers (comp. Rosenmüller, *A. u. N. Morgenl.* i. p. 304). But in Persia and Armenia the roasting of whole sheep and lambs is done in ovens specially prepared for the purpose (comp. Rosenm., *ubi supra*), such as the Rabbins also suppose and describe for the paschal lamb, in Reland, *Antiq.* iii. 6. 18.

(20) Comp. Baumgarten, *Theol. Comm.* i. p. 466, and Kurtz, *History of the Old Covenant*, ii. p. 306 f.

(21) "The securing of the bones from being broken is meant as a preserving in undisturbed wholeness, in full integrity (Ps. xxxiv. 20). . . . The sacrificial lamb to be eaten was to be thoroughly and entirely whole, when it came to the eating it

must appear as a perfect whole, and therefore as One; for not that which is fragmentary, divided, broken, but only that which is whole, is *eo ipso* One. But this had no other object than that all those who shared in that One whole, *i.e.* ate of it, should regard themselves as one whole, as one community, even like those who eat the New Testament passover, Christ's body (1 Cor. v. 7), of which the apostle (1 Cor. x. 17) says: It is one bread, and so we being many are one body, because we are all partakers of one bread." Bähr, ii. p. 635.

(22) As is thought by Hofmann, *Weissag. u. Erf.* i. p. 125; Baumgarten, *Theol. Comm.* i. p. 468; and Kurtz, *History of the Old Covenant*, ii. p. 307; *Sacrificial Worship of the O. T.*, p. 369.

(23) This is not in contradiction to the designation of the unleavened cakes as לֶחֶם עֹנִי, bread of affliction (Deut. xvi. 3). This expression does not denote "miserable, unpalatable bread," but refers only to the misery amid which Israel ate the Mazzoth on the day of its exodus from Egypt. This is evident from the explanation added by Moses himself in his hortatory recapitulation of the law: "for in haste (בְּחִפָּזוֹן, in close-pressed, troubled flight) thou camest forth out of the land of Egypt," especially when compared with the promise (Isa. lii. 12): "Ye shall not go out in haste." "That exodus, so like a flight, was a sign still remaining of the inglorious dependence in which the Israelites were; for they saw themselves forced by the Egyptians to leave the land in haste, without being able to provide even food for the journey. It was also by constraint that they came on the following days to eat pure bread, such as they had used at that extraordinary sacred meal, commanded by Jehovah before the exodus. But in Deut. xvi. 2, 3 it is not the eating of the lamb which is in question, but the sacrificial meals of the feast of passover." Hofmann, *Weiss. u. Erf.* i. p. 124 f.

(24) The selection of the animal on the tenth, and the keeping of it till the fourteenth, belong, according to *Pes.* ix. 5, only to the celebration in Egypt, and is so far significant inasmuch as it served to give to the lamb in this case, where in the absence of an altar no sacrificial ritual could be practised at its slaying, the character of a significant offering. Four days long the sight of this lamb was to cherish in them the thought of their near redemption. But this interval is hardly to be taken as fixed with a reference to the four דּוֹרוֹת which had elapsed since Israel had settled in Egypt (Hofmann, *Weiss. u. Erf.* i. p. 123), but the choice of the lamb was timed on the *tenth* of the month, because ten, as the number of perfection, was meant to indicate the close of the time spent in Egypt.

At a later time a special ritual was drawn out for the

paschal meal, no doubt by the Rabbinical commentators, containing the following particulars, which are not unimportant for the understanding of the feast of passover, at which our Lord instituted the Holy Supper. When the meal was prepared and the company ready to partake, a cup of wine (generally red) was filled, consecrated with thanksgiving by the head of the house, and drunk by those present. Then, after the washing of hands, the meal was opened by every one taking and eating of the bitter herbs, at which stage the reading of the Pesachhaggada began. Thereafter a *second* cup of wine was filled, when, in answer to a question put by the son, the father explained the object and meaning of the meal according to Ex. xii. 26, the singing of the Hallel was begun, and after the singing of Ps. cxiii. and cxiv., the cup was emptied. Then, with the blessing of the unleavened bread, broken into pieces, and of the lamb, followed the meal proper, when every one took his place at table, and ate and drank at pleasure. Eating finished, the father washed his hands, thanked God for the meal, blessed the *third* cup, which was specially called כוס הברכה, *calix benedictionis* (comp. 1 Cor. x. 26), and drank it with the rest; whereupon the *fourth* cup was filled, the Hallel again struck up, and closed with Ps. cxv. and cxviii., the father blessing the cup in the words Ps. cxviii. 26, and drinking it with the guests. These four cups were necessary to complete the meal, so that even the poorest must provide them. But sometimes a *fifth* cup was added, and with it Ps. cxx. to cxxxvii. were sung; this addition, however, not being regarded as necessary (25).

(25) Comp. Buxtorf, *Synag. jud.* c. 18; Lundius, *jüd. Heiligth.* B. v. c. 13, § 27 ff.; and Bartolocci, *Biblioth. rabb.* ii. p. 637 sqq.; besides Mor. Kirchner, *die jüdische Passahfeier und Jesu letztes Mahl*, Gotha 1870.

§ 82. *The Feast of Unleavened Bread.*

Immediately on the passover followed the *feast of unleavened bread* (חַג הַמַּצּוֹת), lasting seven days, from the 15th to the 21st Abib or Nisan (1). On each of these seven days, after the daily morning sacrifice, a sacrifice in connection with the feast was presented, consisting of a goat for a sin-offering, and two

young bullocks, a ram, and seven lambs of the first year as a burnt-offering, with the corresponding meat and drink-offerings (Num. xxviii. 17–24), and unleavened bread was eaten, all leaven whatever being removed from the houses from the 14th (Ex. xii. 15–20, xiii. 6–8; Deut. xvi. 3 f.). But all these were not equally holy; only the first and seventh days of the feast were celebrated with a holy convocation and resting from work, the preparation of food excepted; on the intervening days work might be carried on, unless the weekly Sabbath fell on one of them, in which case the full strictness of Sabbath-keeping was observed, and the feast-sacrifice was not presented till after the Sabbath-offering.—On the second feast day, the 16th Abib (2), the first sheaf of the new harvest, a barley-sheaf, was presented to the Lord, not, however, burned on the altar, but symbolically offered to Him by waving; and, in addition, there were brought a lamb of the first year without blemish for a burnt-offering, two-tenths of an ephah of flour sprinkled with oil as a meat-offering, and a fourth of a hin of wine for a drink-offering. Previous to this offering, neither bread nor roasted or bruised grain of the new harvest was allowed to be eaten (Lev. xxiii. 9–14). Besides, on all the feast days, especially the intervening ones, there were presented by those who appeared at the feast, free-will, burnt, and holy offerings of sheep and oxen (Ex. xxiii. 15; Num. xxix. 32; Deut. xvi. 2), and sacrificial meals were held; no doubt, also, firstlings of the ripe grain were paid. On the 21st the feast was closed with rest from work and a holy convocation, whence this seventh feast day is called עֲצֶרֶת (Deut. xvi. 8) (3).

(1) The passover on the evening of the 14th Abib is expressly distinguished from the immediately following seven days' feast of unleavened bread; comp. Lev. xxiii. 5, 6; Num. xxviii. 16, 17, and our explanation, § 76, i. 471. No doubt פֶּסַח in the wider sense of Passover, including the feast of unleavened bread, is used in Deut. xvi. 1; but so late as 2 Chron. xxx. 15 and 21, Ezra vi. 19, 21, 22, the difference is carefully observed between פֶּסַח and חַג מַצּוֹת as well as by the Rabbins, and in general by Josephus, though the latter here and there uses πάσχα as synonymous with τῶν ἀζύμων ἑορτή, *e.g. Antiq.* xiv. 2. 1, xvii. 9. 3, etc. So also in Matt. xxvi. 17 and Mark xiv. 12, the 14th Nisan, in the last hours of which the Passover fell, is

called ἡ πρώτη τῶν ἀζύμων. Bähr is therefore inexact in setting aside this distinction and using חַג הַפֶּסַח and חַג הַמַּצּוֹת as two names of one and the same feast (*Symbol.* ii. p. 627 ff.).

(2) The meaning of מִמָּחֳרַת הַשַּׁבָּת was disputed between the Rabbanites and Baithoseans. The former understood it of the morrow after the first feast day, the 16th Nisan, the latter of the day after the Sabbath which fell within the seven days' feast. Comp. Lightfoot, *Opp.* ii. p. 692; Trigland, *de secta Karæor.* c. 4, p. 28 sq.; Ideler, *Hdb. der Chronol.* ii. p. 613. In the most recent times Hitzig (*Ostern und Pfingsten. Sendschr. an Ideler*, Heidelb. 1837, *und Ostern und Pfingsten im 2 Decaloge. Sensdchr. an Schwetzer*, 1838) has advanced the hypothesis that the "morrow after the Sabbath" was not the 16th, but the 22nd Nisan, so that the passover always fell on a Sabbath (Saturday), and the feast of unleavened bread always ended with a Sabbath (Saturday). But this hypothesis cannot be proved either from the word שַׁבָּת or from the command: "seven full Sabbaths (שַׁבָּתוֹת) shall there be" (Lev. xxiii. 15). Against it is the fact, that if the 7th, 14th, and 21st Nisan were always to be Sabbaths, the year must always have begun on a Sunday, which was impossible, unless the old year had commonly broken off in the middle of the week, and thereby the weekly reckoning already sanctioned by creation along with the Sabbath had been interrupted. Besides, the beginning of the months coincided with the new moon, which certainly did not appear on Sunday after every twelfth or thirteenth month. Further, שַׁבָּת does not denote the seventh day of the week, though the weekly Sabbath was always the last day of the week, but the day of rest; so that not only the seventh day of the week (Ex. xxxi. 15, etc.), but also the day of atonement (the tenth of the seventh month), is called שַׁבָּת, and even שַׁבַּת שַׁבָּתוֹן (Lev. xxiii. 32, xvi. 31). With the same right, the first day of the feast of unleavened bread observed with a Sabbatic rest might, independently of the day of the week on which it fell, be called שַׁבָּת. In harmony with this, שֶׁבַע שַׁבָּתוֹת (Lev. xxiii. 15) is rendered in the parallel passage (Deut. xvi. 9 f.) by שָׁבֻעוֹת שָׁבֻעָה. Another argument against the hypothesis which assigns the offering of the wave-sheaf to the 22nd Abib, is the circumstance that then "the celebration of harvest, which was intended to be an essential element in the feast of passover, would really have taken place *post festum*; for with the 21st Abib it was at an end" (Kurtz, *Sacrificial Worship*, p. 357, note). But this hypothesis is fully refuted by the gospel fact that Christ, after holding the paschal feast on the evening before with His disciples, was crucified on Friday, and rose from the grave on Sunday, the

first day of the Jewish week, and that on the fiftieth day after His resurrection the day of Pentecost was fully come (Acts ii. 1). Since, according to this, the feast of Pentecost, which was to be observed fifty days מִמָּחֳרַת הַשַּׁבָּת, fell that year on a Sunday, the day of Christ's resurrection, and also the day of the presentation of the wave-sheaf, must have fallen within the seven days' feast of unleavened bread or paschal feast. Any one who would contradict this must go in face of the Gospel history. For if any fact of ancient history is certain it is this, that Christ was not crucified *six* days after the Jewish paschal feast (the 14th Abib), *i.e.* on the 20th Abib (Nisan), and did not rise on the 22nd Nisan, after the close of the feast of unleavened bread.

Yet Kurtz (*Sacrificial Worship*, p. 357 f.) thinks he has found "irresistible" proofs in favour of Hitzig's hypothesis. The chief proof is furnished by the passage Lev. xxiii. 15, 16, where the day of Pentecost is thus fixed: "Ye shall count מִמָּחֳרַת הַשַּׁבָּת, *i.e.* from the day that ye brought the wave-sheaf; seven full Sabbaths (שַׁבָּתוֹת תְּמִימֹת) shall there be, even unto מִמָּחֳרַת הַשְּׁבִיעִת, the morrow after the seventh Sabbath shall ye number fifty days," etc. This passage is held to prove that "the morrow after the Sabbath" in ver. 16 must mean the same as the like expression in vv. 15 and 11, that therefore "the day of Pentecost, as well as the day of the wave-sheaf, must always be preceded by a שַׁבָּת, whether a common Sabbath day or a high feast day with a Sabbatic character; but since the latter was *never* the case, the former must necessarily be assumed." The pith of this "unassailable main argument" lies in the proposition: "מִמָּחֳרַת הַשַּׁבָּת in ver. 16 must mean the same as the like expression in vv. 15 and 11." Of this only so much holds true, that מִמָּחֳרַת הַשַּׁבָּת הַשְּׁבִיעִת (ver. 16) refers to שֶׁבַע שַׁבָּתוֹת תְּמִימֹת (ver. 15), and therefore הַשַּׁבָּת (ver. 16) is used in the same sense as שַׁבָּתוֹת תְּמִימֹת (ver. 15). But שַׁבָּתוֹת in ver. 15, to be understood of Sabbath *days*, does not admit of the predicate תְּמִימֹת, *whole, complete*, which, as applied to Sabbath *days*, would not only be needless but misleading: for the Israelites were not accustomed to reckon the duration of weekly periods by halves, or fourths, or other fractions of Sabbath days, but by Sabbaths (of course whole Sabbath days). Accordingly, seven שַׁבָּתוֹת תְּמִימֹת are not seven Sabbath days, but seven whole (complete) Sabbath periods, *i.e.* seven periods or weeks measured and marked off by Sabbaths, as the expression is rightly explained in Deut. xvi. 9 by שִׁבְעָה שָׁבֻעֹת.—Thus is this "unassailable" proof nullified; and if הַשַּׁבָּת in ver. 11 denotes the same as in vv. 15 and 16, it denotes, not the Sabbath as the seventh day of the week, but the first

day of the feast of unleavened bread, *i.e.* the 15th Abib, which was kept as a Sabbath.—Yet weaker is the second "irresistible" proof for the transference of the wave-sheaf to the 15th Abib, which is drawn from Josh. v. 10 f.: "They kept the passover at even on the fourteenth day, and did eat unleavened cakes מִצּוֹת of the produce of the land." For פֶּסַח is here used as in Deut. xvi. 1 ff., so as to include the days of unleavened bread; and מִצּוֹת הַפֶּסַח must be understood according to the law, specially according to Lev. xxiii. 11, and therefore is not available to decide the question at issue.—While such is the quality of the "irresistible main arguments," we can attach no importance whatever to the remark of Knobel, though it is characterized as "weighty:" "It is impossible to see why precisely the second day of the *Azyma*, when the people returned to their work and had not to assemble at the sanctuary, should have been distinguished by the peculiar offering of the feast, as if the people were not called to be present when the gift dedicated by them to Jehovah was solemnly presented!" Were the people, then, forbidden to come to the sanctuary on the feast days, on which ordinary work was allowed, to be present at the offering of the wave-sheaf after the morning sacrifice? Or did any law command the men of Israel, if they appeared before the Lord, according to the prescription of Ex. xxiii. 14, 15, at the feast of unleavened bread, to come to the sanctuary *only* on the first and seventh day of the feast, and to go to their houses on the intervening days to follow their ordinary occupations? Comp. further the note in my commentary on Lev. xxiii. 11.

(3) On עֲצֶרֶת, which is used first in the law in respect to the eighth day of the feast of tabernacles (Lev. xxiii. 36; Num. xxix. 35), and then also Deut. xvi. 8 in respect to the seventh day of the feast of unleavened bread, comp. Ikenii *Dissertatt. phil.* i. p. 50 sqq. There can be no doubt that it denotes the solemn conclusion of a feast of more than one day's duration—*clausula festi.* Comp. Bähr, ii. p. 615, and Hengstenberg, *Beitr.* ii. p. 95 f. But it is disputed whether this meaning is to be derived, with Gesenius and others, a coagendo, congregando populo ad festum, or with Iken: a cohibitione laboris, ab *interdicto opere.* Against the former derivation, which would make it parallel with מִקְרָא קֹדֶשׁ, is Lev. xxiii. 36: "And on the eighth day shall be a holy convocation; and ye shall offer an offering made by fire to the Lord, it is עֲצֶרֶת, ye shall do no servile work." But against the second there arises the difficulty, that not only on the seventh day of the feast of unleavened bread and on the eighth of the feast of tabernacles, but also on the first day of both feasts, a holy convocation and the cessation of labour were appointed. The radical meaning is therefore

certainly to be found in the idea of *closing*. But since these *clausulæ festi* were holy days, with a holy assembly and cessation of work, the word easily came in after times to be used of the keeping of feasts, at which the people resting from work assembled for edification by divine worship, *e.g.* Joel i. 14; Isa. i. 13; 2 Kings x. 20.

The peculiar signification of this feast lies in the eating of unleavened bread and the removal of leaven from the houses, and even from the whole country (Ex. xii. 15, 19; Deut. xvi. 4). This appears not only from the gravity with which the command is repeatedly inculcated, and the eating of leavened bread threatened with cutting off from the congregation, but from the fact that the feast has its name *Mazzoth* therefrom. The eating of unleavened bread was neither intended merely to remind the Israelites of the haste with which they had quitted Egypt, leaving them no time to allow the prepared dough to get leavened (Ex. xii. 33 f. and 39), nor as bread of affliction (Deut. xvi. 3), *i.e.* as coarse and tasteless food, to remind them of the oppression endured in Egypt (comp., on the contrary, § 81, note 23). In that case the feast would have been made a time of chastening, a day of mourning and penance; whereas it was not instituted as a memorial of the affliction of Egypt, but was intended to be an anniversary of their glorious deliverance and a joyous feast, at which Israel was to appear before its God, to thank Him with burnt and holy sacrifices for its redemption and its exaltation to the place of a holy people (4).—It was the fact that the Egyptians drove out the Israelites, and left them no time to leaven their dough and prepare food for the way, so that in the first days after their exodus they were obliged to content themselves with unleavened bread. But this was brought about by the stroke with which God the Lord was threatening the Egyptian first-born, that is, by God Himself, to sanction the longer use of unleavened bread for the future celebrations of the seven days' feast, and to convert the sign of temporary necessity into a symbol of holy joy. The unleavened bread, which on account of the haste of the exodus, was bread of oppression, was designed to remind them constantly of the day of the exodus, not, however, of the oppression endured in Egypt, but of the deliverance from it. For the

bread not pervaded with leaven is pure or holy bread, which the people, purified from the leaven, *i.e.* rescued from the moral corruption of Egypt, is to eat during the days which it keeps holy to its God, in memory of His gracious deliverance (5). The one day of deliverance being extended to a seven days' feast, becomes by the very number, the holy number seven, a hallowed feast of holy joy, in which Israel rests from the oppression and drudgery of Egypt and enters into the blessed rest of God. By the Sabbatic observance of the first and last days, the beginning and end of the feast, the whole is raised to a great Sabbath-festival. But it is not rest as such which is the object and aim of the feast, but the work of Israel's creation, by its deliverance from Egypt (Isa. xliii. 15–17), to a new life under the protection and in the fellowship of its God. To preserve and strengthen this new life received through the almighty grace of their Lord, the Israelites in the daily sacrifices of the feast dedicate their bodies as living sacrifices, holy and acceptable to God, while the thank-offerings with the sacrificial meals typify the blessedness secured to them by covenant fellowship with their Redeemer. But because the new life in our present state can only thrive on the basis of bodily strength, Israel also consecrates its bodily nourishment to its God in the offering of the sheaf of first-fruits, and thus makes its confession in act that its daily bread comes from the Lord. The burnt and meat-offerings added to the sheaf of first-fruits, point to the obligation to strengthen all the members of the body by the use of bodily nourishment for the Lord's service with a view to increase of holiness and diligence in good works.

Thus Israel in the feast of unleavened bread celebrates the fruit of its redemption and adoption into God's family, *i.e.* the regeneration and hallowing of that new life into which it has been brought by its God. Now as this new life is represented by the eating of the Mazzoth, the eating of unleavened bread would be a denial in act of the new nature which has been given to Israel; therefore it is visited with the penalty of cutting off.

(4) Comp. Bähr, *Symbol.* ii. p. 629.

(5) "The Egyptian leaven, to use the same figure, had already threatened to pervade, *i.e.* corrupt, the whole mass of the

people; so Jehovah separated Israel from the Egyptians and chose it to be a pure people, which as such must now remove from the midst of it all leaven (corruption)." "The leading or deliverance of Israel out of Egypt was for it as a people a freeing from all corruption, a help from death to life, the condition of its being. The Passover was therefore the feast of life for Israel, and while it lasted the people must also eat the bread of life. But that all these references contained in the fundamental idea of the feast to the being and destination of the people should be grouped round the food used, appears so far natural, inasmuch as food, and especially its representative bread, the means of all life and subsistence, stands in immediate relation to life; and so the quality of this means of life during the feast pointed to the kind and nature of the life into which the people were to enter." Bähr, ii. p. 630 f.

§ 83. *The Feast of Weeks or Pentecost.*

Seven full weeks after the wave-sheaf was presented and the sickle put to the corn (Deut. xvi. 9), *i.e.* on the fiftieth day (1) thereafter, Israel was required to bring a new meat-offering to the Lord, to keep the day by rest from work (cooking excepted), a holy convocation, and a special sacrifice for the feast (Lev. xxiii. 15–21). In addition to the daily morning sacrifice there followed first a goat for a sin-offering, a ram and seven lambs for a burnt-offering, with the corresponding meat and drink offerings (Num. xxviii. 26–31). Hereupon there were brought as firstlings for Jehovah (2) (Lev. xxiii. 17), two loaves of two-tenths of an ephah of flour baked with leaven as a "new meat-offering," and with these loaves a goat as sin-offering, seven young lambs, a bullock and two rams, with the corresponding meat and drink offerings, and two lambs besides as peace-offerings (3). The firstling loaves with these two lambs were devoted to the Lord by waving as a thank-offering for the harvest which had been gatherod in, during the seven previous weeks, and they were assigned by the Lord to the priests, and that wholly, so that of the wave loaves (לֶחֶם תְּנוּפָה, Lev. xxiii. 17) nothing, and of the two lambs only the fatty portions, as in the case of all peace-offerings, were burned on the altar. Besides, the males were to appear at this feast before the Lord with free-will, burnt, and thank offerings in proportion

to the blessing which in the harvest they had received from their God, and to rejoice before the Lord (*i.e.* at the sacrificial meals to be held at the sanctuary), with their children, men-servants and maid-servants, and the poor (Levites, strangers, orphans, and widows), Deut. xvi. 10 f.; comp. Ex. xxiii. 16 (4).

(1) Hence it is called ἡ πεντεκοστή, Acts ii. 1; Joseph. *de bell. jud.* ii. 3. 1. In the Rabbins חג חמשים יום; comp. Delitzsch, *Pfingsten*, in Riehm's *Hwb.* p. 1184 ff.

(2) The words: "Ye shall bring out of your habitations wave-loaves" (Lev. xxiii. 17), are understood by Calvin, Osiander, Bonfrere, *ad h. l.*, and lastly, George (*d. alt. jüd. Feste*, pp. 130, 273), as if every head of a house were to bring two such loaves, as each had to offer a lamb at the passover. This is a mistake. The two loaves were presented for the whole people as the congregation of the Lord, similarly to the sheaf of first-fruits on the 16th Nisan. The specification: "out of your habitations" merely indicates beforehand that they were to be loaves prepared for the daily nourishment of the house, not specially for a holy purpose. The Rabbins mistakenly: non ex habitationibus, quæ extra terram sanctam. Comp. Lundius, *jüd. Heiligth.* p. 1020, and Bähr, ii. p. 621 f.

(3) So Jewish tradition, in harmony with the older Christian antiquarians. Mistakenly, on the other hand, are these sin, burnt, and meat offerings pertaining to the wave-loaves identified, by Baur, Jahn, George, and even Bähr (ii. p. 623), with the feast-offerings appointed Num. xxviii. 27 f., and the difference in the number of the victims is either ignored or declared to be unimportant; while modern criticism turns the alleged differences to its own ends. Comp. my commentary on Lev. xxiii. 15–22.

(4) In post-exilic times this festival was greatly frequented especially by Jews from abroad. Comp. Acts ii. 1 ff., xx. 16; Joseph. *Antiq.* xiv. 13. 4, xvii. 15. 2; *de bell. jud.* ii. 3. 1.

This feast, which lasted only a day, forms one whole with the feast of unleavened bread as a harvest-feast. First by name: feast of weeks (Ex. xxxiv. 22; Deut. xvi. 9), which it received from the fact that seven weeks were to be counted from the day when the sheaf of first-fruits was presented. Next by the designations: feast of harvest (Ex. xxiii. 16), and: day of the first-fruits (Num. xxviii. 26), which point to *that* day when the first-fruits of the harvest (רֵאשִׁית הַקָּצִיר, Lev.

xxiii. 10) were presented. It is to be regarded as the close of that feast (5) in which the meaning of this side of the feast of unleavened bread, as developed in § 82, reaches its conclusion.—The harvest-offering peculiar to it is called a "new meat-offering" because made from the flour of the new harvest; and the loaves prepared from it are, unlike all other meat-offerings, baked of unleavened dough; for it is the daily bread which is offered to the Lord, as the giver of the harvest, by way of thanksgiving for His goodness. But in order that the eating of the daily leavened bread might not minister to the leaven of the old nature, the animal sacrifice accompanying the consecration of the bodily food was not, as in the case of the feast of unleavened bread, to consist only of a burnt and meat offering, but was to be strengthened by a sin-offering preceding, and a special peace-offering following it. The sin-offering was intended to keep alive in the congregation the consciousness of sin and the longing after atonement. In the increased burnt-offering, they were to apply their thankfulness for the blessing of harvest to an intensified consecration and hallowing of every member of the whole man in the Lord's service, and by means of the peace-offering they were to enter more deeply into that which it represented, the blessed fellowship with the Lord, to which in their inheritance they should attain by His blessing (6).

(5) "Forming the beginning and end of the corn-harvest, both days belong to one whole, and embrace a larger, exactly measured period, which from the very fact of embracing within it two days related to one another, is itself characterized as a festal, hallowed period, a divine season." Bähr, p. 646. This connection was recognised by the Jews from ancient times, and hence Pentecost as the closing day of this period of seven weeks is called עֲצֶרֶת, though this designation of the feast does not occur in the law. So already Josephus, *Antiq.* iii. 10. 6: πεντεκοστήν, ἣν Ἑβραῖοι Ἀσαρθὰ καλοῦσι· σημαίνει δὲ τοῦτο πεντεκοστήν, and the Rabbins in Misch. *Rosch. haschsch.* i. 2, *Chagiga* ii. 4, etc., and עצרת של פסח, Midrash *Schir haschsch.* xxxvi. 1. Comp. Reland, *Antiq. ss.* iv. 4. 2, and J. Meyer, *ad Seder Olam,* p. 290 sqq.

(6) Later Rabbins—for Philo knows nothing of it—have associated this feast with the giving of the law. Maimonides says (*More Nevoch.* iii. 43): Festum septimanarum est dies ille, quo Lex data fuit. Yet Abarbanel remarks, *comm. ad Legem,*

fol. 262: Hoc quidem extra controversiam est, quod in festi Septim. die Lex data sit, sed festum in ejus memoriam non est institutum. Accordingly the older Christian theologians (comp. Lundius, *ubi supra*, p. 1019), who make it the anniversary of the giving of the law as well as the harvest-feast, do not once claim the Rabbinical tradition for their view, and still less Scripture, which does not contain a hint of the kind.

FOURTH CHAPTER.

THE SECOND SERIES OF YEARLY FEASTS.

§ 84. *The Day of Atonement.*

On the tenth day of the seventh month Israel celebrated its reconciliation to the Lord. This day was a high Sabbath (שַׁבַּת שַׁבָּתוֹן, Lev. xvi. 31, xxiii. 32), with a holy convocation, on which no work was done; and all the people were to afflict their souls, *i.e.* to fast (from the evening of the 9th to the evening of the 10th), under penalty of being cut off for transgression of the law (Lev. xxiii. 27–32). The centre-point of this feast was formed by the expiation made by the high priest (Lev. xvi.) (1), after the daily morning sacrifice.

The high priest, having bathed his body and put on the holy garments (comp. vol. i. § 35, p. 219) specially prescribed for this service, presented for himself and his house, *i.e.* for the whole priesthood, a bullock for a sin-offering and a ram for a burnt-offering. For the congregation he presented what was taken from it, *i.e.* provided at the public cost, two goats for a sin-offering and a ram for a burnt-offering. Over the two goats he then cast lots before the door of the tabernacle, one for Jehovah, the other for Azazel. The goat which fell by lot to Jehovah was devoted to be sacrificed as a sin-offering; the other on which the lot for Azazel fell was presented alive before Jehovah to be sent to Azazel in the wilderness, after atonement had been made.—Hereupon he slew the bullock, the sin-offering for himself and his house, then took a censer full of burning coals from the altar of burnt-offerings, and having his two hands filled with sweet-smelling incense beaten small, he brought it into the most holy place within the veil,

and laid the incense on the burning coals before Jehovah, that the cloud of incense might cover (2) the Capporeth over the testimony, and that he might not die. Thereupon he sprinkled of the blood of the bullock on the front of the Capporeth once, and before the Capporeth seven times (3).—Then he slew the goat, the sin-offering for the people, and did with its blood what he had done with that of the bullock.—As he hereby atoned for the holiest of all, so he required afterwards to atone for the tent of meeting, *i.e.* the holy place of the tabernacle (4).—Then he came out of the tent and applied the blood of the bullock and goat to the horns of the altar of burnt-offering. — By these blood-sprinklings, the holiest of all (5), the holy place and the altar of the court having been atoned for and hallowed, because of the uncleannesses and transgressions of the children of Israel, the high priest presented the live goat (in the court), laid his hands on its head confessing over it all their sins and transgressions, and sent it away into the wilderness by a man who stood ready for the purpose, that the goat might bear away all their trespasses into a waste land.—Thereafter he returned to the tent of meeting, took off his white garments, laid them down there, bathed his body in water in the holy place (in the laver of the court), put on his usual official robes, and completed his own and the people's burnt-offering in the court, at the same time burning the fat of the sin-offerings on the altar. But both of the sin-offerings were carried without the camp and burned, with skin, flesh, and dung.—The persons who had taken the live goat into the wilderness and burned the sin-offerings outside the camp were, before their return into it, to wash their clothes and bathe their bodies (Lev. xvi. 2–29).

This act of expiation for the people and the holy places being finished, there was presented immediately before the evening sacrifice, according to Jewish tradition, the offering prescribed for the feast of the day, a goat as sin-offering, a bullock, a ram, and seven lambs as burnt-offerings, with the corresponding meat and drink offerings (Num. xxix. 7–11), and therewith the feast of the day was closed.

(1) Comp. my commentary on Lev. xvi.; Oehler in *PRE.* xxi. p. 446 ff. (*Versöhnungstag*), where also the most important

literature is given; and Delitzsch, *Versöhnungstag*, in Richm's *Hwb.* p. 1710 ff.

(2) Lev. xvi. 13. If we compare with ver. 2, we shall find it is not to be understood, as Bähr (ii. p. 669) and Baumgarten (*Theol. Comm.* ii. p. 184) think: that Aaron by means of the burning incense was to raise a cloud in which Jehovah should appear above the mercy-seat, but with the cloud of incense, the light-cloud, in which Jehovah manifested His appearance above the Capporeth, much more than the Capporeth itself was to be enveloped and covered, and thereby Aaron's approach to the presence (not merely the throne) of God was to be made possible without his dying. Compare the explanation regarding the Shekinah, vol. i. § 20, note 25.

(3) With the words עַל־פְּנֵי הַכַּפֹּרֶת קֵדְמָה וְלִפְנֵי הַכַּפֹּרֶת of the blood of the bullock (ver. 14) and עַל־הַכַּפֹּרֶת וְלִפְנֵי הַכַּפֹּרֶת of the blood of the goat (ver. 15),—as Bähr, *ubi supra*, rightly remarks, —"a twofold sprinkling is commanded, and it is more than inexact to confound the two and find in them a mere repetition. First the high priest was to sprinkle upon (עַל) the Capporeth in front (קֵדְמָה), but thereafter seven times before (לִפְנֵי) it —whether on the ground or otherwise is not indicated." Accordingly the first sprinkling, in reference to which no number is given, is to be thought of as done once. This is attested also by Jewish tradition. "In the second temple, where the ark of the covenant was wanting, the high priest, according to the unanimous testimony of tradition, sprinkled in all eight times, namely, once upwards and seven times on the ground." Comp. Carpzov, *Appar.* p. 436; Lightfoot, *Opp.* i. p. 745; and the exhaustive description of the high-priestly functions by Delitzsch, *ubi supra.*

(4) The words וְכֵן יַעֲשֶׂה לְאֹהֶל מוֹעֵד וגו (ver. 16) can have no other meaning than this, that the high priest made atonement for the tent of meeting even as for the holiest of all, *i.e.* that after sprinkling the blood in the holiest, he went back into the holy place and here sprinkled the blood of both the victims, first on the horns of the altar once, and then seven times before the altar towards the ground. For since הַקֹּדֶשׁ here denotes the holiest of all within the veil, אֹהֶל מוֹעֵד can only denote the holy place (the outer division of the tent). But in that case the altar (ver. 18), the last to be sprinkled, and which in ver. 19 is named with the holy place and the tent of meeting as the third object of sprinkling and atonement, can only be the altar of burnt-offering, as is already indicated by the clause אֲשֶׁר לִפְנֵי יְהוָה (ver. 18), similar to מִלִּפְנֵי יְהוָה, ver. 12.—On the contrary, the later Jewish tradition explains the words in question thus.

The high priest, after completing the sprinklings in the holy of holies, retired, and stood between the altar of incense and the inner veil; approaching the latter, and taking care that no drop touched it, he sprinkled the blood of both sin-offerings once upwards, and seven times towards the ground. Thereupon stepping in front of the altar of incense, *i.e.* between this altar and the entrance, he mingled the blood of both sin-offerings, and having applied it to the four horns of the altar of incense, he cleared its surface of coals and ashes, and sprinkled the place thus cleansed seven times. According to this view, there was a double sprinkling of the holy place, once and seven times. Comp. Lundius, B. v. c. 20, § 52 ff., and Carpzov, *Appar. l.c.*—The view of Bähr, Hofmann, Knobel, etc., that the altar (ver. 18) is not the altar of burnt-offering, but that of incense, has been fully refuted by Kurtz (*Sac. Worship O. T.*, p. 392 f.).

(5) The question so much ventilated by the older archæologists, how often the high priest on this one day of the year (ἅπαξ, Heb. ix. 7) went into the holiest of all, whether only twice, as we read in Philo, or four times, as the Talmudists teach, is not of great importance. The biblical text does not speak more precisely on the subject, but makes it probable on the whole that he entered four times: 1. With the incense; 2. With the blood of the bullock; 3. With the blood of the goat; 4. To fetch the censer, which, according to the Talmud, was done after the evening sacrifice. Comp. Bähr, p. 670 f.; Winer, *Realwört.* ii. p. 657 f.—It may also be that as the high priest retired he went backwards, without turning his back to the Capporeth.

The meaning of this feast, expressed in the name יוֹם הַכִּפֻּרִים, *day of atonements, i.e.* of full atonement, is contained in the atoning act peculiar to the day, the full understanding of which depends on the right interpretation of the obscure word עֲזָאזֵל, *Azazel.* Of its various explanations only those can be justified, as in keeping with the context, which understand by it a spiritual being, a demon. The command: to present two goats to Jehovah for a sin-offering (לְחַטָּאת, ver. 5), and to cast lots on them, one for Jehovah (לַיהוָה), the other for Azazel (לַעֲזָאזֵל, ver. 8), requires us to take Azazel as a spiritual personality, in contrast to Jehovah, who must be thought of as dwelling in the wilderness, the habitation of demons and impure beings (Matt. xii. 43; Luke xi. 24), inasmuch as the goat devoted to Azazel is sent into the

wilderness (vv. 11, 21 f.). Thus he must belong to the kingdom of evil spirits, and that not as a subordinate demon, for he is here put in contrast to Jehovah, but can only be the ruler of the kingdom of the demons or their head, that evil spirit who is afterwards called Satan (6).

(6) Comp. on Azazel, besides the Lexicons, Diestel on *Seth-Typhon, Azazel and Satan,* in Niedner's *Ztschr. f. histor. Theologie,* 1860, p. 194 ff. — The view that Azazel is the designation of an evil spirit dwelling in the wilderness (Spencer, Rosenm., Gesen.), is now almost universally acknowledged, not only by Hengstenberg, Baumgarten, Kliefoth, Kurtz, Oehler, but also by Diestel, Ewald, Knobel, Fürst. Of the other explanations, the one proposed by Paulus, Steudel, Tholuck (*Beil. zum Comm. üb. d. Hebrbr.* p. 93, d. 3 A.), Bähr (ii. p. 668), Winer (*R.W.* ii. p. 659): "for complete taking away," has in most recent times found a defender in Merx (in Schenkel's *Bibellex.* i. p. 255 f.). The second, that Azazel denotes the goat (Vulg.: *emissarius;* Luther: *the poor goat*), has only been taken up again by Hofmann (*Schriftbew.* i. p. 431 f.); and the third, that it denotes the place to which the goat was sent, the wilderness or the solitary land, only by Wangemann (*Opferc.* i. p. 382 f.). But against all three explanations the remark of Gesenius (*Thes.* p. 1012): "Vi oppositi (לעזאזל ליהוה) exspectatur persona eaque talis, quæ Jehovæ apte opponatur et contraria sit," holds with undiminished force. A person and an action or region can never form a natural and appropriate contrast.—Of the explanations of the word, that of Ewald (*Alterthümer,* p. 479) is the most probable: "עזאזל is according to its origin (comp. אזל, to go away) exactly the same as ἀποπομπαῖος (as indeed the LXX. translate it), *averruncus,* a goblin, a demon whom one bids away from him." As to the objection frequently raised against explaining Azazel of the devil, that belief in demons, and especially the idea of Satan, cannot be proved as existing among the pre-exilic Israelites, it has been disposed of by Vaihinger (*PRE.* i. p. 636) by the true remark: "We need not suppose that the Israelites in Moses' time had already a developed view of the nature of the devil. But if we are to regard the later demonology of the Jews as a phenomenon natural to Israelitish soil, and not merely an exotic product, the foundation for it must have existed at an early period." The only remaining question is, whether the idea of the Azazel is to be taken as an old Hebrew, pre-Egyptian view of the Set-Typhon, as a desert inhabiting Cacodæmon. The latter is held by Hengstenberg (*BB. Mose u. Æg.* p. 177 ff.); on the contrary, Diestel, *ubi*

supra, p. 197, sought to prove that the notion of Typhon as an evil principle arose much later among the Egyptians than Moses, not earlier than the tenth or eleventh century B.C. So much at least is certain, that the sending of the goat into the wilderness to Azazel is not to be explained by Egyptian, but by specifically Israelitish ideas, and that Ewald's contention: "the distinguishing of a demon in contrast to Jehovah, is at variance with the stricter Jehovah-faith," is unfounded, since even in Gen. iii. there occurs the idea of an evil being hostile to God, though still veiled. — Quite uncritically, Movers (*Phönizier*, i. p. 367 ff.) identifies Azazel with Mars-Typhon, and reckons the scape-goat sent into the wilderness to Azazel to be one of the relics of a Phœnician-Egyptian Moloch-worship, which had survived in Hebraism.—A remarkable parallel to the Azazel-rite, which shows that it is not specifically Egyptian, is communicated by K. Graul, *Reise nach Ostindien*, iii. p. 296 ff. (Leipzig 1854). It is a rite practised by the Badagas on the Blue Mountains in the East Indies, which forms the central point of the solemnities observed in connection with the dead by these worshippers of Siva. The body having been brought to the place where it is to be burned, and set down not far from the funeral pile, two buffalo calves are brought and bound; then there are laid on one of them, in somewhat solemn fashion, all the sins of the dead and of his whole family; whereupon it is let loose and hunted at full speed into the desert, and only then is the corpse laid on the pile and burned.

The atoning act of this day had for its object complete atonement, not only atonement and removal of all sins and trespasses of the whole congregation, priesthood, and people, but also purification of the sanctuary from the impurities with which it was polluted by sin. The atoning sacrifice of the day differed from all other expiatory offerings in this, that the atoning blood was not only brought to the altars of the court and the holy place, but also into the holy of holies, and sprinkled on the throne of God. Thus there is represented a higher degree of atonement to make up for the defectiveness of the other sin-offerings (7). With the sprinkling of the blood on the throne of God an atonement was made which brought the congregation into the nearest communion with God which was possible under the old covenant. Accordingly, this atonement related not merely to the transgressions which had remained unatoned for in the course of the year, but to all sins and

misdeeds whatever, whether already atoned for or not, and besides to the yearly expiation for the sanctuary and altars appointed in Ex. xxx. 10, which was effected by special sprinklings of blood peculiar to the atoning sacrifices of the day. For this highest act of atonement the congregation was required to prepare itself by an entire cessation of work, that it might be wholly occupied with God, and humble itself in penitence for its sins before the holy God by affliction of soul, *i.e.* by fasting, and appear contritely before Him in holy convocation. But since the atonement concerned the *whole congregation*, only the high priest, as its lawful representative before God, could perform the atoning rite; and since he, with the priesthood, belonged to the congregation, he must make atonement first for himself and the priesthood, before he could make atonement for the congregation of Israel because of their sins. To this end he was required to prepare himself by a washing of the flesh, *i.e.* bathing of the body (not merely washing of the hands and feet, as was prescribed for the other acts of divine worship, Ex. xxx. 19), denoting an intensified purification. Moreover, he must put on perfectly white, holy, official garments, in order to appear before the All-holy God, as one cleansed from all the filth of sin, and in the august sanctity of God's highest servants (8). But, that he might not be consumed as a sinful man on entering into the holiest of all by the fire of the divine holiness, he was required, after presenting the sin-offerings in the court, on passing within the veil, to cover the Capporeth on which God appeared in His holiness with the cloud of incense. The cloud ascending from the censer, a symbol of prayer going up to God (vol. i. p. 144), is intended to shelter the high priest in the presence, even the veiled presence of God. Thereafter he presented the sin-offering for himself and the priests, while sprinkling its blood first in the holy of holies on the Capporeth, to effect their reconciliation, to bring his own soul and that of the priests symbolically into the fellowship of sin-forgiving grace. Thereupon, by blood-sprinkling repeated seven times on the ground before the Capporeth, he cleansed the holy of holies from the impurities with which the sinful atmosphere of the priests had defiled it (9). Similarly he then made atonement and purification on the altar of incense and in the holy place, and, moreover,

on the altar of burnt-offering in the outer court. This done, he slew the goat for the people's sin-offering, and as with the sin-offering for himself, he carried out by the sprinkling of blood the atonement for the people, and the purification of the sanctuary from its sinful defilement. With these sacrificial acts atonement was made for the sins of the priests and people, and the sanctuary and altars were cleansed from all the stains of sin. Not only was all removed which could separate priests and people from God, but the whole congregation was reconciled to God, and again brought into the full enjoyment of divine communion (10).

But to take away sin and transgression wholly out of the kingdom of God, or, to speak more correctly, to impress the truth on Israel, that sin can have no place within the congregation of the Lord, a people holy to God, the last act of the atoning rite of the day—the treatment of the second goat—was appointed. This goat, on which the lot for Azazel had fallen, was, during the making of atonement, with the bullock and the first goat, to stand before Jehovah לְכַפֵּר עָלָיו, that is to say, to atone for it, *i.e.* to make it an atoning object, in order that it might be employed as a means for the complete removal of sin, as the bearer, that is to say, of the sin that was to be borne away from the kingdom of God. This is evidently the meaning of the words: "to atone with him, (then) to send him into the wilderness to Azazel" (ver. 10) (11). To effect this, *i.e.* represent it symbolically, the high priest having ended the atonement of the sanctuary and altar, was to bring the living goat, *i.e.* place it before the altar (הִקְרִיב, ver. 20, in the same sense as Lev. i. 3, and in the case of every victim). Then he was to put his hands (not one hand, but both, to make the action more emphatic) on the head of the goat, and by confessing over it all the sins and trespasses of the children of Israel, to lay them on its head; thereafter send the goat, laden with the sins of the people, into the wilderness, into a land cut off, *i.e.* a land such that no way leads back from it to the dwelling-places of the people, so that the goat might have returned thither. The goat was thus to bear the sins, which God forgave His people, to Azazel, the father of all sin, not only as a testimony to him that he had gained nothing through his seduction to evil against the people of the

Lord, who have received atonement for their sins, but also to testify to the people of Israel that those burdened with sins cannot remain in the kingdom of God, but, unless they are redeemed from them, are doomed to the kingdom of evil spirits (12).

(7) So Kurtz rightly, *Opferc.* p. 335 [Eng. tr. p. 385 f.]; and Oehler in *PRE.* xxi. p. 446 f.

(8) The pure white garments, in contrast to the magnificent, coloured, official robes, are not to be taken, with Winer (*R.W.* ii. p. 660), Hofmann (*Weiss. u. Erf.* i. p. 148; *Schriftbew.* ii. p. 287), etc., as the "dress of the common priest," the girdle of which was coloured, not white, as if he were required "to appear to the people, not in the glorious dress of Jehovah's confidant, but before Jehovah in the simple purity of his God-appointed office." Still less is it to be understood, with several Rabbins, Grotius, Rosenm., Knobel, and Kurtz (*Opferc.* p. 337) [Eng. tr. p. 387 f.], as a penitential dress "in keeping with the character for humility, contrition, and chastening belonging to the occasion." For where in all the world are dazzlingly white garments worn for mourning or as the dress of penitence? Kurtz's polemic against taking the white garments as eminently holy has already been set aside by Oehler, *ubi supra*, p. 449, and Wangemann (*Opferc.* i. p. 370 f.), as entirely mistaken. In the first place, Kurtz takes no account of the emphatic words of the text: "they are holy garments" (ver. 4). Next, he has not adverted to the fact, that in the highest act of atonement it is not the person, but the office of the high priest that is of importance. The white garments were not for the priest's person, but were for his entrance into the holy of holies before God's immediate presence (Wangemann). And he has overlooked that the high priest presented even the sacrifice of atonement for himself and the priests, as the God-ordained *mediator* between Jehovah and the congregation. The significance of the official dress prescribed for this act of atonement lies in the fact that it is intended to be a symbol of the highest *purity;* hence the high priest, before putting it on, was to bathe his body. As Oehler remarks, "he wears the white linen garments on the day on which he has to tread the holy of holies, the place of the divine Shekinah, for the same reason that they are ascribed (Ezek. ix. 2, 3, 11, x. 2, 6, 7; Dan. x. 5, xii. 6 f.) to the highest spirits in heaven that stand nearest the throne of God. Conversely, in the vision of Zech. iii. 3, the unfitness of Joshua the high priest to intercede with God for the people is signified by his filthy garments."

(9) Comp. on the difference between this blood-sprinkling and those which were customary in connection with simple sin-offerings for the congregation, the remarks in vol. i. § 46, note 5, pp. 302 and 308, and my commentary on Lev. xvi. 14, 19.

(10) This reconciliation of the whole congregation of Israel to Jehovah could only be accomplished inasmuch as Israel was chosen to be Jehovah's people by the sprinkling of the atoning blood on Jehovah's very throne. For in all atonements made merely on the altars of burnt-offering and of incense, the veil before the holy of holies still separated the congregation from their God.

(11) The difficult לְכַפֵּר עָלָיו (ver. 10), which Diestel gives up in despair (*Jahrbb. f. d. Theol.* viii. p. 497), proposing to reject it from the text as a gloss, can exegetically have no other meaning than: "to atone for it, or make it an object of atonement." The other explanation: to perform an atoning action over (on) it, which I adopted in my *Comm. on Lev.*, after Kliefoth, Hofmann (*Schriftbew.* ii. p. 289), etc., is linguistically utterly unjustifiable. It offends against the constant usage of the כפר עלי, according to which עַל denotes, without exception, the object of atonement, the person or thing to be atoned for; and כִּפֶּר never occurs without an object, not even in ver. 32, as Kurtz mistakenly thinks. But if constant usage requires us to understand עָלָיו here also as the object of atonement, the strong terms in which Kurtz opposes this meaning, as that "the making atonement for a victim in any case is a *contradictio in adjecto*," a "piece of pure nonsense;" and that the goat needed no purifying or atonement, because as a sin-offering it was pure, holy, guiltless, and stainless (*Opferc.* pp. 354, 357 [Eng. tr. 407, 410]), have no force. On the contrary, Wangemann (*Opferc.* i. p. 386) has already very justly observed: "Neither can Kurtz, in the statement of his view, escape the charge of self-deception which he brings so liberally against his opponents. For self-deception it undoubtedly is, when he adduces the *capper* without an added *alav* in ver. 32 in proof of the meaning of the *capper* in ver. 10 connected with *alav*, for it is precisely the addition of *alav* which makes the difficulty. Further, it must be regarded as self-deception, when Kurtz first maintains that there is no atonement whatever without sprinkling of blood, and yet thinks in this case, because the atonement by blood has been already accomplished by the blood of another goat, an atoning action can be completed even without the blood of the sin-offering. The reference to the fact that the second goat was the *alter ego* of the first has no bearing, because the *lecapper alav* is expressly repeated in reference to the second goat." Moreover, it is a

mistake to assert that no atoning act, *i.e.* no כִּפֻּר, is effected without sprinkling of blood; comp., on the contrary, the cases adduced, vol. i. p. 273 f. It is a mistake also to assert that the making of atonement for a pure, holy, guiltless victim is sheer nonsense. The altars of burnt-offering and of incense, and the Capporeth, were also holy and guiltless, and yet required atonement, because they were defiled by the sins of men. So also might the goat devoted to be a sin-offering yet be regarded as needing atonement to hallow it for the object for which it was to be used. The objection of Kurtz to the contrary, that the victim was not a piece of atoning furniture, goes for nothing. A piece of furniture of course the goat was not, but a means or medium of atonement, just as the altars were not merely atoning furniture, but also means or media of atonement. But this second goat was atoned for, not as Oehler, *ubi supra*, p. 451, holds, by smearing with the blood of the offered, as in the case of the purification of the leper the one bird was dipped in the blood of the other (Lev. xiv. 6, 51), for so important a particular would not have remained unmentioned in the ritual; but atonement was made simply according to the words in ver. 10, by the fact that it was thereby not only brought into relation with the offered goat, but participated in the Cappara (atonement) made on the altar, its strength and efficacy passing over or being transferred to it. The presenting of two goats as a sin-offering was indeed, as is universally admitted, only necessary in this case because, after the slaying and offering of the one, a second live goat needed to be provided on which the sins of the people might be laid to be borne away. But, inasmuch as both goats were set apart to be sin-offerings, and the particular way in which the one and the other were to be used was determined by lot, Jewish tradition has so strongly pressed the equality of both, that in Mischna *Joma* vi. 1 we are taught: *De duobus hircis dici expiationis mandatum est ut sint pares in aspectu, statura et pretio, et ut simul etiam capiantur.* To the same effect Maimonides, *de die propit.* v. 14.

(12) Hengstenberg, in his treatise, which really opened up the discussion of this rite (*BB. Mos. u. Aeg.* p. 165 ff.), acknowledges only the first of these two elements as "the dogmatical kernel of the symbolical action, so far as it relates to Azazel." But the second also is to be taken into account. For though it is not specially brought out in the text, as indeed the first is not expressly stated, yet it lies unmistakeably in the fate which was to overtake the goat in the wilderness. It must remain in the land, cut off from approach to the dwellings of men, till it found its death—that is to say, till it suffered that which the sinner must endure on whom his sins remain; and this, though

it may be only a later ordinance, without any foundation in the law, which the Rabbins (tract. *Joma* vi. 6) teach, that the goat was hurled from a rock in the wilderness, and fell, to be dashed to pieces on the ground. Comp. Lundius, *jüd. Heiligt.* B. v. c. 20. Accordingly, it is self-evident that in what was done with this living goat we have not to think of a sacrifice offered to Azazel, since, according to O. T. notions, no animal sacrifice could take place without shedding of blood. Comp. the full refutation of this mistaken view in Hengstenberg, *BB. Mos.* p. 169 ff.

Having finished the act of atonement, the high priest put off in the holy place of the tabernacle the white garments which he had put on to enter into the holy of holies, cleansed himself by washing his body in a holy place from the impurity with which he was polluted by laying the sins of the people on the scape-goat, and resumed his ordinary official robes. This he did, that by offering the two burnt-offerings, and burning the fat of both the sin-offerings, he might give himself, the priesthood, and the whole people, with every organ of their bodies, to the Lord, to be hallowed by the holy fire burning on the altar, and so complete the reconciliation of the whole congregation (including his own person and the priesthood). Finally, the bodies of both sin-offerings, laden with the sins put on them, were burned outside the camp, and thus sin was symbolically mortified in the flesh. But because all contact with the sin-laden victims was defiling, not only the man who drove the goat into the wilderness, but the other, who was charged with the burning of the sin-offering outside the camp, were thus rendered unclean till the evening, so that they must submit to the purification prescribed for this degree of defilement if they were to return into the camp, *i.e.* into the fellowship of the Lord's hallowed people (13).

Only now could the congregation, justified from all sin, and hallowed, anew consecrate its life to the holy service of the Lord by presenting the burnt-offering of the feast appointed for the day (14).

But because sin ever cleaves even to the holy on the earth, and disturbs even their holiest resolutions and works, and they, therefore, need forgiving grace for all they do, this burnt-offering and meat-offering could only be acceptably presented to the Lord on the basis of a sin-offering. Finally,

this was followed by the daily evening sacrifice, with which the keeping of this feast day was brought to an end.

(13) The reason of the purification prescribed for the two men is sought by Bähr (ii. p. 684 ff.), Oehler, *ubi supra*, p. 454, and Kurtz (*Opferc.* p. 362 [Eng. tr. p. 415]), merely in their "removal from the camp, the communion of the pure," and a possible defilement there. Altogether unsatisfactory. Rightly, on the other hand, do Wangemann (i. p. 368 f.), with Hengstenberg, Delitzsch, Philippi, etc., find it in the fact that the goat as the bearer of the people's sins, defiled, like the flesh of the sin-offering (see above, § 46, note 9), while the character of purity and impurity attached to both; and what Philippi, iv. 2, p. 249 f., says of the burning of the flesh of the sin-offering holds of the goat: "If these remains were nevertheless to be burned in a clean place outside the camp, this proclaims the double character of the sin-offering, which is at once clean in itself and unclean by imputation. . . . This twofold point of view is expressed in the fact that the high priest, after completing the sin-offering on the great day of atonement, required to bathe his flesh with water in a holy place" (ver. 24). The overlooking of this idea arises from the want of clearness regarding the notion of atonement, or from the mistaken view, that with the blood-sprinkling, representing the forgiveness of sin, the sin itself was removed, *i.e.* annihilated, whereas by its forgiveness only the punishment, the suffering due to its guilt, is remitted to the sinner.

(14) That these sacrifices of the feast were not offered till after the act of atonement, is not indeed expressly stated in the law, but flows from the idea of these sacrifices, and is unanimously attested by Jewish tradition as the practice of the temple. Comp. Lundius, *jüd. Heiligt.* B. v. c. 21.

§ 85. *The Feast of Tabernacles with its Octave.*

The last feast of the year was that of *tabernacles* (חַג הַסֻּכּוֹת, Lev. xxiii. 34–36, 39–43; comp. Ex. xxiii. 16; Deut. xvi. 13–15; called *σκηνοπηγία*, John vii. 2, and in Josephus, also חַג הָאָסִיף, Ex. xxiii. 16, xxxiv. 22), beginning five days after the day of atonement. It was kept for seven days, from the 15th to the 21st of the seventh month, on the first with a Sabbatic rest and holy convocation, on the other days only with numerous sacrifices offered at the central sanctuary, while during these days every home-born one in Israel was to dwell in booths (סֻכּוֹת), which were constructed on the first

day of fresh branches of fruit trees, palms, boughs of trees thick with leaves, and willows, in courts, on roofs, streets, and public squares, in memory of their dwelling in booths after their exodus from Egypt (Lev. xxiii. 40, 43, comp. with Neh. viii. 15 f.) (1). The daily sacrifices at this feast were more numerous than at any other. Besides the daily sin-offering of a goat, a number of young bullocks, which from thirteen on the first day diminished to seven on the seventh day (seventy in all), were offered daily, besides two rams and fourteen lambs of the first year as burnt-offerings, with their corresponding meat and drink offerings (Num. xxix. 12–34).

To these seven days there was added an eighth, the 22nd of the month, as the close of the feast (עֲצֶרֶת, comp. § 82, note 3), which again was observed with a Sabbatic rest and holy convocation, but had only a simple sacrifice (similar to the first and tenth day of the seventh month), consisting of a goat for a sin-offering, and a bullock and a ram and seven lambs for a burnt-offering, with the corresponding meat and drink offerings (Num. xxix. 35–38).

(1) In Lev. xxiii. 40 we read: "and take to you on the first day פְּרִי עֵץ הָדָר, fruit of goodly [ornamental] trees, כַּפֹּת תְּמָרִים, branches of palms, and עֲנַף עֵץ־עָבֹת, boughs of thick [leaved] trees, and עַרְבֵי נָחַל, willows of the brook, and rejoice before Jehovah your God seven days." If we compare this verse with ver. 42: "ye shall dwell in booths seven days," it is evident that the fruits, branches, boughs, etc., mentioned in ver. 40, merely indicate the material of which the booths were to be constructed. So the command was still understood in Nehemiah's time, as appears from Neh. viii. 15: "Go forth unto the mount and fetch olive branches and branches of wild olive, and myrtle branches, and palm branches, and branches of thick trees to make booths." Comp. my comm. on Lev. xxiii. 39 ff. On the contrary, the Talmudic tradition finds in Lev. xxiii. 40, not a description of the material for the booths, but of a bunch לוּלָב, which every Israelite was required to carry at the feast of tabernacles, while it allows the booths to be constructed of all sorts of shrubs which were free from uncleanness. Comp. Mischna, tract. *Succa* (in Surenhus. ii. p. 259 sqq.), and published separately with a full commentary by Dachs, *Succah, vol. talm. babyl. sive de tabernaculorum festo*, Utrecht 1726.

If the feast of atonement was a day for afflicting the soul,

a day of penitential sorrow for sin, the feast of tabernacles was one of joy. This is emphatically expressed in the two elements which it unites, viz. the ingathering of the labour of the field (Ex. xxiii. 16), the fruit of the earth (Lev. xxiii. 39), or the ingathering of the threshing-floor and the wine-press (Deut. xvi. 13), and the dwelling in booths, which were to be matters of joy to Israel. Comp. Lev. xxiii. 41: "Take to yourselves on the first day fruit of goodly trees, etc., and rejoice before Jehovah your God seven days." Deut. xvi. 14: "And rejoice in thy feast, thou and thy son and thy daughter, and thy man-servant and thy maid-servant, and the Levite, and the stranger, and the fatherless, and the widow, that are within thy gates;" ver. 15: "for Jehovah thy God shall bless thee in all thine increase and in all the work of thy hands; therefore be joyful." The ingathering of all the fruits of the ground, and the blessing of God thus made visible in this last passage, are prominently presented as the subject of joy. But we dare not regard the feast of tabernacles as originally a vintage feast (2), nor may we seek the character of special and exalted gladness chiefly in the fact that the ingathering of the fruit, oil, and wine not only formed the close of the entire harvest, but that these products, "still more than the bread needed for daily support promote the enjoyment of life, and are, especially oil and wine, witnesses of wealth and superabundance" (3). For the gladness was to be expressed, not so much in the unstinted enjoyment of this fulness of divine blessing, as in the dwelling in booths which distinguished this feast from all others, and in the increased number of sacrifices. Besides, the feast not only derives its chief name from the booths, but this kind of celebration is also prescribed as an everlasting ordinance for posterity (Lev. xxiii. 41). By their dwelling in booths, posterity is to recognise that God made the children of Israel to dwell in booths when He brought them out of Egypt (Lev. xxiii. 43). This historical reference is therefore the higher, and the natural reference to the harvest the secondary one.

The dwelling in booths was not to remind the people of the privations of the wandering life in the wilderness and its misery, now over and gone. For privation and want cannot be grounds of joy (4). The booth (סֻכָּה) in

Scripture is not an image of privation and misery, but of protection, preservation, and shelter from heat, storm, and tempest (Ps. xxvii. 5, xxxi. 21; Isa. iv. 6). That God made His people dwell in booths (5) during their wanderings "through the great and terrible wilderness, fiery serpents, scorpions, and thirsty ground where was no water" (Deut. viii. 15), was a proof of His fatherly concern for His covenant faithfulness: which Israel, by its dwelling in booths at this feast, was to recall and bring vividly to the remembrance of succeeding generations. But the booths constructed for the feast were not made of scraggy brush-wood such as is found in the desert, but of the branches of fruit trees, with fruits hanging from them, of palms and other thick-leaved trees which abounded in the "good land, a land of brooks of water, of fountains and lakes springing forth in valleys and hills, a land of wheat and barley, and vines and fig-trees, and pomegranates and olives" (Deut. viii. 7 f.), and which in this character were lively images of the rich fulness of blessing with which the Lord blesses His people. This fulness of blessing and unstinted happiness were to be brought before the souls of the Israelites by their dwelling in these booths, that in the land where they ate not their bread in scarceness, where they wanted nothing, where they built goodly houses and dwelt in them, where their sheep and oxen, their silver and gold, and all their possessions increased (Deut. viii. 9, 12, 13), they should not say in their hearts: "my power and the might of mine hand hath gotten me this wealth," but should remain mindful that it was Jehovah their God who gave them power to get wealth (vv. 17, 18), that their heart should not be lifted up and forget Jehovah their God who brought them out of the land of Egypt, the house of bondage (ver. 14). In comparison with the "house of bondage," the dwelling in booths on the march through the wilderness was in itself an image of freedom and happiness. But when the booths were, besides, formed of such branches as represented the wealth of the land of Canaan, given to Israel for its inheritance, there could hardly be a more impressive way of awaking and nourishing in the heart of the people the feeling of their blessedness than by the feast of tabernacles.

To this was added the reference to the completed harvesting of the produce of the land with the vintage. The foliage of the booths alone pointed to the goodly possessions which they had received from the Lord in their inheritance. But the beautiful and delicious fruits which were gathered, to be enjoyed in peace at the close of their labour in the fields, must have raised their hearts to a yet higher note of thankful joy to the Lord and giver of all, and have made this feast a marked type of the blessedness of God's people in resting from their works.

To this blessedness prepared by the Lord corresponded the large number of burnt-offerings in which the congregation, on each of the seven feast days, on the basis of a sin-offering, presented themselves soul and body with all their powers as living and holy sacrifices to the Lord, to be ever more and more hallowed, transfigured and perfected by the fire of His holy love (6). No doubt, also, the peace-offerings, which were never wanting at any high feast, were more numerous on this than on any other, and the sacrificial meals provided from them must have secured to all partakers, even the poor, the stranger, the widow, and the fatherless, a foretaste of blessedness in the kingdom of God (7). But this blessedness was, and remained, only the earthly type of the eternal blessedness. After being enjoyed for seven days, the feast ended on the eighth day with a Sabbatic rest, from which the congregation, through edification from God's word in holy convocation, joined with a simple sacrifice, were to gather strength to continue their pilgrim life in the earthly Canaan; and so, after finishing the walk of faith, to enter into the heavenly Canaan and see God face to face.

(2) As George (*die ält. jüd. Feste*, p. 278 ff.) thinks that first of all it was only the vintage festival, at which booths made of the branches of trees were set up, because of the constant working in the fields and spending the night in the open air, and that not till later was the reference to the national history added. On the other side, comp. Winer, *R. W.* ii. p. 7, and Bähr, ii. p. 668 f.

(3) So Bähr, *ubi supra*, p. 657.

(4) According to Bähr (p. 653), "the dwelling in such booths or tents was a well-known description, in the view of the Hebrew, of a wandering, unsteady, more particularly nomadic

kind of life, in contradistinction to that which takes its character from fixed dwellings and the life attaching to them, especially agriculture." Of course the dwelling in tents is so, but not in booths; and the inference drawn therefrom is wholly mistaken, that "there is inseparably associated with dwelling in booths the idea . . . of the want of fixed, quiet homes, the idea of an unsettled mode of life." For this there is no proof in Scripture. Had dwelling in booths been intended to remind Israel "of the sorrows of their wandering life in the wilderness" (Bähr, p. 658), the feast must have been rather one of mourning than of joy. To derive a joyous feast from the troubles and privations of desert life, might recall *lucus a non lucendo*.—It is one-sided and unjustifiable to refer the dwelling in booths, in contrast to dwelling in Egypt (Lev. xxiii. 43), only to the stay of the Israelites at Sinai (in Kurtz, *Opfercv.* p. 333 [E. tr. p. 383]), according to which the feast of tabernacles would commemorate merely the first year after the exodus, the year during which the covenant lasted. The assertion: "The thirty-eight and a half years of the suspension of the covenant cannot be the subject of the festival," is beside the mark. For it was not even the one year of the subsistence of the covenant which was the subject of the feast, but the protection which Jehovah vouchsafed to His people in the wilderness. But this protection was given to them not only at Sinai, and in the first year after their departure from Egypt, but during the following thirty-eight and a half years, since, according to Deut. viii. 2–4 and 16, He led them and fed them with manna during the forty years of their journeyings in the wilderness, because not the whole of Israel was to die in the wilderness, but only the older generation which had come out of Egypt, while a new generation was to grow up in their children and receive the promised land.

(5) The Talmudic ordinances regarding the structure of these booths in Mischna, ed. Surenh. ii. p. 260, where a large number of illustrations are to be found, have at the most an antiquarian interest, none for biblical archæology.

(6) Much as it corresponded with the idea of the feast to multiply the number of burnt-offerings, it is questionable whether any symbolical meaning attaches to the number of the offered bullocks, and their distribution over the seven days of the feast. If the total number seventy was intended to be taken as a holy and significant number, it is difficult to understand why ten were not offered each day, by which the total number would have come prominently into view. What Bähr (ii. p. 680 ff.) says on this point leaves the impression of artificiality.

(7) As to the reading of the law at this feast in the Sabbatic year, comp. above, § 79.

From the nature and significance of the feast of tabernacles, it is easy to understand why the post-exilic Jews not only regarded it as their greatest and most glorious feast (8), but sought to make its celebration still more honourable by various usages and ceremonies added in the course of time. Such additions are (according to the tract, *Succa* 3–5)—(*a*) the custom (9), derived from Lev. xxiii. 40, of carrying a citron in the left hand at the feast, in the right a palm branch (לוּלָב) wound with willow and myrtle branches; (*b*) the libation of water joined to the morning sacrifice on each of the seven days, a priest fetching the water in a golden jug from the fountain of Siloah, and pouring it out, mixed with wine to music and song, into two perforated cups put at the west side of the altar (10); (*c*) the illumination prepared on the evening of the first day in the court of the women, by means of large golden candlesticks, before which men executed a torch dance to song and music (11).

(8) So Josephus calls it (*Antiq.* viii. 4. 1): ἑορτὴν σφόδρα ἁγιωτάτην καὶ μεγίστην, and xv. 3. 3: ἑορτὴν εἰς τὰ μάλιστα τηρουμένην; Philo (ii. p. 286): ἑορτῶν μεγίστην; the Rabbins, from the multiplied number of the sacrifices, יום המרובה, *dies multiplicationis* (Mischna *Menach.* xiii. 6). And the mirth which rose, especially in the evenings, to excess, gave Plutarch occasion to describe the whole as a feast of Bacchus. Comp. his description, *Sympos.* iv. 6. 2, given also in Winer, *Realwört.* ii. p. 8.

(9) According to an arbitrary, at least unfounded interpretation of the Pharisaic commentators; comp. Bähr, ii. p. 625; whereas the Karæans, more in agreement with Lev. xxiii. 40 and Neh. viii. 15, do not carry the citrons and branches in the hand, but use them to adorn the booths.

(10) To this ceremony Jesus is said to have attached His discourse, John vii. 37 ff. Comp. the commentators on the passage. But in that case the ἐσχάτη ἡμέρα μεγάλη τῆς ἑορτῆς cannot be understood of the eighth day, but only of the seventh. For on the eighth day the water libation was not repeated. Comp. *Succa* iv. 1, and Dachs, *l.c.* p. 368 sq. Entirely in harmony with the Mosaic law, the eighth day is not reckoned by the Rabbins to the feast, so that on it even the dwelling in booths was at an end. Comp. Lundius, *jüd. Heiligth.* B. v. c. 26, § 13 ff.—For the rest, this rite may easily be brought into harmony with the significance of the feast, if it is understood

as referring to the miraculous outflowing of water from the rock, during the march through the wilderness (comp. Frommann, *Opuscul.* i. p. 223 sqq.); the Rabbins, however, think that thereby it was meant to supplicate God for a rich blessing on the new seed-time. The origin of this libation is probably to be sought in Isa. xii. 3, comp. with 1 Sam. vii. 6. But that it was not approved by the Sadducees is evident from *Succa* iv. 9; comp. Dachs, p. 406 sq.

(11) Comp. tract. *Succa* v. 2–4. According to the Mischna, this illumination only took place on the evening of the first day; according to later Rabbins, this jubilation was repeated all the seven evenings of the feast; comp. Dachs, *l.c.* p. 431. Anyhow, no illumination took place on the eighth day, so that it could not have been with reference to it that Jesus described Himself in John viii. 12 as the light of the world.

§ 86. *The Typical Character of the Mosaic Feasts and Feast Times.*

The typical character of the feasts instituted in the law of Moses appears in general from what we have already explained regarding the typology of the place of worship, of the priestly office and service, and of the acts of worship, for these feasts consisted mainly in the presenting of sacrifices and in sacrificial meals. The daily divine service, consisting of a burnt and meat offering as a symbolical presenting of the body to be a living, holy, and acceptable sacrifice, prefigured the λογικὴ λατρεία of Christians (Rom. xii. 1). And so the whole Mosaic cycle of feasts had a typical significance. The fundamental idea of the O. T. feasts is contained in the celebration of the Sabbath. This appears from the fact that not only did all yearly feasts reach their climax in a Sabbatic celebration, but the entire series was organically incorporated in the Sabbatic cycle which widened from the Sabbath day to the jubilee year (comp. § 76). The command: "Remember the Sabbath day, *to keep it holy*" (Ex. xx. 8), is taken up into the Decalogue, the fundamental law of the Sinaitic covenant; and the hallowed rest which the Sabbath was intended to secure for the quickening and refreshing of the Israelites, their man-servants, and maid-servants, and cattle, from the toil and labour of this earthly life, is extended in the Sabbath year to the whole land, and in the jubilee year to the entire theocratic

State. For thereby not only the land was to recover and gain strength for a new harvest by lying fallow, but every one who in the course of time had lost his inheritance and freedom was again to be restored, in the jubilee year, to the possession of his inheritance, and to the freedom of the citizens of God's kingdom. This deliverance provided for the Israelites, in the institution of the Sabbath, from grievous labour in the sweat of the face, and from every kind of servitude to man, is a prophetic type of the σαββατισμός which is reserved for the people of God, *i.e.* the celebration of their resting from their works, as God, after finishing the work of creation, rested on the seventh day from all His works (Heb. iv. 9, 10); a type of the times of quickening (καιροὶ ἀναψύξεως) which come from the presence of the Lord, the times of the restoration of all things (χρόνοι ἀποκαταστάσεως πάντων, Acts iii. 20, 21), which begin with Christ's return from heaven; a type of the Palingenesia (Matt. xix. 28), and of the new creation of heaven and earth (2 Pet. iii. 13); for the creature, made subject without its will to the service of corruption (δουλεία τῆς φθορᾶς), will share in the glorious liberty of the children of God (Rom. viii. 19–21).

This glorious goal, which God's ways have in view in His dealing with His people, was set before the congregation of Israel in the observance of its Sabbatic seasons. And to guide it in the way to this goal, so far as the O. T. economy could, the annual feasts, sacred to the memory of the divine works wrought for its deliverance and blessedness, were so distributed over the Sabbatic cycle, as to make it taste the blessing of divine grace in an ever heightening degree. Those feasts were a consequence and fruit of the covenant of grace which the Lord had made with Israel at Sinai. In them the memory of God's saving acts was celebrated in this order. The first series of feasts had for its subject and contents the redemption of Israel from the bondage of Egypt, and its adoption into covenant with the Lord, to which the hallowing of the daily bread needed for the support of life was subordinate. The second, falling in the seventh month, related to the goal of the covenant, representing in the great day of atonement the reconciliation of the whole congregation with its God, and in the feast of tabernacles the full blessing of the covenant,—

blessedness in the enjoyment of the God-provided salvation. But inasmuch as neither the expiation on the day of atonement could purify the conscience from sin, nor the feast of tabernacles provide the peace of eternal life, both were manifested to be only shadowy types of the true reconciliation, and of the grace and blessedness of God's people which Christ achieved by His sacrificial death. By this completion of the sacrifices of the law the goal of the O. T. feasts was made the foundation and starting-point of the N. T. feasts.—This turn of things is already indicated by Ezekiel in his prophetical picture of the transformation of God's kingdom. Among the feasts which the congregation of Israel, redeemed from among the heathen, was to celebrate in the new kingdom of God (Ezek. xlv. 18, xlvi. 15), the day of atonement is wanting. Instead of it two sin-offerings, one presented on the first, and one on the seventh day of the first month, are to precede the passover, and the passover itself is to begin with a sin-offering on the fourteenth day of the month. Besides this, only on the seven days of the Mazzoth and of the feast on the seventh month shall a sin-offering be presented daily; on the contrary, the sin-offering at new moon, and likewise the daily evening burnt-offering, shall cease. Finally, the burnt-offerings of both the yearly seven-day feasts shall be equal, and the presenting of the wave-sheaf at the feast of unleavened bread, as well as the feast of weeks and that of trumpets, shall cease. Thereby the seventh month is deprived of its Sabbatic character, and the relation of the annual feasts to the harvest is abolished.—These differences are significant. In the Sinaitic ordinances prescribed for feasts and sacrifices, the fullest atonement which the ancient covenant could provide occurs in the seventh month, to indicate that the Sinaitic covenant leads the people onwards toward reconciliation, and presents it in the middle of the year. On the other hand, in Ezekiel's new order of worship, reconciliation through the forgiveness of sin and purification from its transgressions is offered to penitent Israel at the beginning of the year, so that in the strength of the atoning blood it may walk before God in righteousness, and enjoy the riches of His grace all the year. In so far, then, as the great expiatory sacrifice of the day of atonement points typically to that eternal efficacious sacrifice

which Christ was to offer in the middle of the ages by His death on Golgotha, the transference of the chief atoning sacrifice to the beginning of the year in Ezekiel points to the fact that for the Israel of the new covenant this eternally efficacious sacrifice will form the foundation of all its services and feasts as of its whole life (1).

These great expiatory sacrifices of the first month of the year, which in this prophetic vision take the place of the day of atonement, have been offered in an eternally efficacious way, by Christ's sacrifice of Himself, who as our paschal lamb was slain for us, that we might and should keep the passover, not with the leaven of malice and wickedness, but with the unleavened bread of sincerity and truth (1 Cor. v. 7, 8). Christ is the bread of life, whereof whosoever eats shall not die, but live for ever (John vi. 35, 48–51). He presents to us in the Holy Supper His body given to the death for us, and His blood shed for the forgiveness of our sins. After taking up again the life offered for us, He went as the true High Priest with His own blood into heaven, there to appear before the presence of God for us and to represent us (Heb. ix. 24). As at once Son of God and Son of man exalted to the right hand of the Father, He poured out His Holy Spirit on the harvest feast of Pentecost on His disciples, and by this gift founded the kingdom of heaven on the earth, and established a Church, which has the promise that the gates of hell shall not prevail against it (Matt. xvi. 18). This kingdom will overcome all the kingdoms of this world, and stand till He come again from heaven in the glory of the Son of God, to judge the world, to renew heaven and earth, and bring His elect into the Sabbatic rest of eternal blessedness.

(1) Comp. my *Commentary on Ezekiel*, p. 533 ff., 2nd ed.

FIFTH CHAPTER.

POST-EXILIC FEASTS.

§ 87. *The Feasts which arose after the Exile.*

To the yearly feasts instituted by the Mosaic law, several were added after the exile, of which some were as

regularly kept as the Mosaic yearly feasts. They were the following:—

I. Purim (פּוּרִים or יְמֵי פּוּרִים, days of the *lots*, Esth. ix. 26) (1) was instituted by a missive of Mordecai and of Queen Esther, in memory of the extraordinary deliverance of the Jews living in the interior of the Persian Empire from the murderous plot of Haman. It was generally adopted, though not at first without opposition (2), and kept as *Μαρδοχαϊκὴ ἡμέρα* (2 Macc. xv. 36), or *Purim*, by the Jews of all lands, on the 14th and 15th Adar, without any special sacrifice, with reading and expounding the Megilla Esther (Book of Esther) in the synagogues, and with great banquets. This people's feast so well suited the fleshly taste of the later Jews, that in their leap years, which had two Adars, it was kept twice, while the 13th Adar, as the day fixed by Haman by lot for the destruction of the Jews, was made a fast day (3) (תַּעֲנִית אֶסְתֵּר, Esther's fasting).

(1) Comp. Esth. ix. 21 ff., and iii. 7, פּוּר הוּא הַגּוֹרָל.

(2) According to *Gem. Hieros. Megill.* fol. 70: contra institutionem festi Purim per Estheram et Mordochæum lxxxv. Seniores, quorum plures quam xxx. erant prophetæ, cavillabantur ut novaturientem contra Legem. Lightfoot, *Hor. hebr. ad ev. Joann.* x. 22.

(3) Comp. on Purim, Oehler in *PRE.* iv. p. 388 f.; Dillmann in Schenkel's *Bibellex.* v. p. 16 ff.; and Riehm, *Hwb.*, p. 1245. Dillmann and Riehm also mention and set aside the suppositions of Hitzig and de Lagarde with respect to the origin of this feast.—For more particulars regarding it, see in W. Schikart (Prof. Tubingen), *Purim s. Bacchanalia Judæorum*, Tub. 1634 (in *Critt. sacr.* vi. p. 482 sqq., ed. Frcf.); Buxtorf, *Synagog. jud.* cap. 29; and Carpzov, *Apparat.* p. 469 sqq.—Following Kepler and Petavius, many modern critics understand Purim as meant by the *ἑορτὴ τῶν Ἰουδαίων* (John v. 1). Comp. Wieseler, *Chronol. Synopse*, p. 206 ff.

II. The *dedication of the temple* (חֲנֻכָּה, *τὰ ἐγκαίνια*, John x. 22, Luther, *Kirchweihe*) was kept on the 25th of Chisleu (December) for eight days, with brilliant illumination of the houses and other places in Jerusalem, to commemorate the purification of the temple from the abominations of Syrian idolatry, and the consecration of the newly-raised

altar of burnt-offering (*ἐγκαινισμὸς τοῦ θυσιαστηρίου*, 1 Macc. iv. 59), in accordance with an ordinance of Judas the Maccabee (1 Macc. iv. 56 ff.; 2 Macc. x. 6 ff.). Though the consecration of the altar, after the purification and restoration of the temple had been completed, was celebrated by presenting burnt, thank, and praise offerings, with singing and music (1 Macc. iv. 54 ff.), and by carrying staves of ivy, goodly branches, and palms, after the fashion of the feast of tabernacles (2 Macc. x. 6 ff.), yet the yearly repetition of the feast did not consist of any special act of worship, but only of the festive illumination of the houses. Hence Josephus calls it *φῶτα*, and interprets it as a figure of the strength and freedom which, contrary to expectation, dawned on the people (4).

(4) Josephus, *Antiq.* xii. 7. 7: *Καὶ ἐξ ἐκείνου μέχρι δεῦρο τὴν ἑορτὴν ἄγομεν καλοῦντες αὐτὴν Φῶτα· ἐκ τοῦ παρ' ἐλπίδας οἶμαι ταύτην ἡμῖν φανῆσαι τὴν ἐξουσίαν, τὴν προσηγορίαν θέμενοι τῇ ἑορτῇ.* The Talmudic explanations of this feast, now by the legend of a sealed jar of oil found at the cleansing of the temple, the oil of which miraculously burned for eight days; again, by the victory of Judith over Holofernes (Judith xvi. 31, Vulg.), see in Selden, *De Synedriis*, lib. iii. cap. 13, § 9 sqq.—On the festival, comp. Buxtorf, *Synag. jud.* c. 28; Othonis, *lex. rabb. phil.* p. 238 sqq.; and Carpzov, *Appar.* p. 471 sq., who remarks: Celebratio festi non tam religioso quam Sardanapalico peragitur more, comessando, genio suo indulgendo et in diem vivendo. Præcipuus autem et necessarius ejus ritus est candelarum accensio. Candelabrum quippe, septem sive lampadibus olei puri, sive cereis instructum, suæ quisque domi habet, et ita accendunt, ut nocte prima accendant lampadem sive candelam unam, secunda duas, tertia tres, et sic porro per integrum septiduum, singulis diebus unam addendo, etc. Comp. also Oehler in *PRE.* iv. p. 389; and Riehm, *Kirchweihfest*, in *Hwb.* p. 829 f.

III. The other feasts mentioned by Josephus and the Talmud are altogether doubtful. 1. The feast of *wood-carrying* (*ξυλοφορίων ἑορτή*, Joseph. *bell. jud.* ii. 17. 6) on the 3rd Elul, on which every one was accustomed to carry wood to the temple, that the fire on the altar might be kept always burning. This celebration seems to have been derived from Neh. x. 35, and to have been nothing more than a day of rejoicing, which was observed yearly in Jerusalem after providing the necessary supply of wood for the altar (5). — 2. The feast which the high priest Simon appointed on the 23rd day of

the second month to commemorate the *reconquest of the tower* in Jerusalem, and its purification from heathen defilements (1 Macc. xiii. 52), of which, however, Josephus says nothing.—3. The *Nicanor* feast on the 13th Adar, instituted to commemorate the defeat and death of the ruthless Nicanor (1 Macc. vii. 49), which was still celebrated in the time of Josephus (6).—4. The feast of *joy in the law* (חג שִׂמְחַת הַתּוֹרָה) on the 23rd Tisri, as the day on which the reading of the Torah ended yearly, and was again begun. Most likely only a Rabbinical invention (7).

(5) Probably the same feast mentioned by Jac. Jehuda Leo, *De templ. Hieros.* lib. ii. c. 13 (§ 76), in the gloss.: Ligna autem idonea excidebant sacerdotes a mense Martio usque ad XV. Quinctilis: *quo die tunc immensam excitabant lætitiam,* vocantes eum diem fractionis falcis h. e. fracturæ ligonum, eo quod ex illo tempore et deinceps non opus fuerit ligonibus cædere ligna struis illius. The Talmudists do not mention it, but give nine yearly times for this fetching of wood. Comp. Reland, *Antiq. ss.* iv. c. 9, § 7.

(6) Comp. my *Comm. on the Books of the Maccabees,* p. 135, note.

(7) Comp. Buxtorf, *Synag. jud.* c. 27.—On other Jewish anniversaries named in the *Megilla Taanith,* in addition to these, comp. Selden, *De Synedr.* iii. c. 13, § 11, p. 137 sqq.

§ 88. *The Synagogue Service.*

Not till after the exile did there arise gradually (comp. § 30) the service regularly held in the synagogues on Sabbath and feast days, consisting of prayer (1), reading of biblical portions of the law and the prophets, and on certain feast days also from some of the Hagiographa (2), which were translated into the language of the people, and explained for edification (3) in free addresses (sermons), whereupon the congregation was dismissed with the Aaronic blessing (4). In after times this service was also appointed for the second and fifth days of the week (Monday and Thursday) (5), and a daily morning and evening prayer for the congregation introduced (6).

(1) Reading and exposition of the Scriptures was, from the beginning, the chief object of this institution, and hence it is

frequently mentioned in the New Testament and in Philo. Comp. Luke iv. 16; Acts xiii. 15, xv. 22; 2 Cor. iii. 15. Philo (*Opp.* ii. 458): Ἱερὰ ἡ ἑβδόμη νενόμισται, καθ' ἣν . . . εἰς ἱεροὺς ἀφικνούμενοι τόπους, οἱ καλοῦνται συναγωγαί, καθ' ἡλικίας ἐν τάξεσιν ὑπὸ πρεσβυτέροις νέοι καθέζονται μετὰ κόσμου τοῦ προσήκοντος ἔχοντες ἀκροατικῶς. Εἶθ' ὁ μὲν τὰς βίβλους ἀναγινώσκει λαβών, ἕτερος δὲ τῶν ἐμπειροτάτων, ὅσα μὴ γνώριμα παρελθὼν ἀναδιδάσκει. Page 630: Αὐτοὺς εἰς ταὐτὸν ἠξίου (Moses) συνάγεσθαι καὶ καθέζομένους . . . τῶν νόμων ἀκροᾶσθαι, τοῦ μηδένα ἀγνοῆσαι χάριν. Καὶ δὴτα συνέρχονται ἀεὶ καὶ συνεδρεύουσι μετ' ἀλλήλων. . . . Τῶν ἱερέων δέ τις ὁ παρὼν ἢ τῶν γερόντων εἷς ἀναγινώσκει τοὺς ἱεροὺς νόμους αὐτοῖς καὶ καθ' ἕκαστοι ἐξηγεῖται μέχρι σχεδὸν δείλης ὀψίας. But prayer was never omitted. Already, from Neh. viii. 5 ff., it is clear that the reading of the law was opened with a short prayer; and from Neh. ix. 3 ff., that after the reading longer prayers followed. But the introduction of standing prayers, such as the morning prayer (שחרית), of the prayer קדיש before the reading, and the ברכות thereafter, as given by Maimonides, *Hilc. Tephill.*, in Vitringa, *De synag. vet.* p. 962 sqq., certainly did not take place till later, and that gradually, and can hardly have prevailed uniformly. Comp. Bodenschatz, *Kirchl. Verfassung d. heut. Juden*, ii. p. 149 ff.

(2) The portions to be read from the law are called פָּרָשִׁיוֹת, *Paraschoth*, those from the prophets הַפְטָרוֹת, *Haphtaroth*. For more particulars, see my *Lehrb. d. krit. Einl. in d. A. T.* p. 540 f., and the table of these Pericopes which were not always and everywhere uniformly fixed in Bodenschatz, ii. p. 22 ff.— Of the Hagiographa, there were read at particular feasts, after the Paraschoth, only the five Megilloth: the *Song of Songs* at the passover, the *Book of Ruth* at Pentecost, *Lamentations* on the 9th Ab (July), the day of the burning of the temple; the *Preacher* at the feast of tabernacles, and *Esther* at Purim. Comp. Carpzov, *Critica sacr.* p. 134.

(3) The Scripture portions were read in the original; whether it was the same among the Hellenists is doubtful; comp. Winer, *R. W.* ii. p. 549, note 9. But with the dying out of Hebrew, as the language of the people soon after the exile, even in Palestine a paraphrase became necessary in Aramaic (comp. Neh. viii. 8). An edifying exposition or sermon was joined with it from the beginning. Hence Maimonides (*Hilc. Teph.* x. 10) says rightly: A diebus Esræ moris fuit, ut adesset Interpres exponens populo, quod Lector in Lege prælegebat, ut sententiam verborum perciperent. Comp. Vitringa, *l.c.* p. 689 sqq.

(4) See above, § 75, and Vitringa, p. 1114 sqq.

(5) The institution of this weekly service is referred in the *Gemara*, in keeping with oral tradition, to Ezra; by Maimonides, expressly to Moses. Comp. Vitringa, p. 238 sqq.

(6) The prayer which every male Israelite of full age is expected to repeat daily, morning and evening, consists of the קריאת שמע, *lectio s. recitatio Schemæ, i.e.* of the passages Deut. vi. 4–9, xi. 13–21, Num. xv. 37–41 (comp. Vitringa, p. 1052 sqq.; and Reland, *Antiqq. ss.* i. 10. 6), and the most important of the eighteen benedictions (שמנה עשרה), which, as taken from Maimonides, are to be found fully in Vitringa, p. 1033 sqq.

It was in the synagogues also that circumcision took place. Comp. Buxtorf, *Synag. jud.* cap. 4. Reland, *Antiqq. ss.* i. 10. 8. and Bodenschatz, *ubi supra*, iv. p. 60 ff.

SIXTH CHAPTER.

ON THE HISTORY OF JEWISH WORSHIP.

§ 89. *Survey of the History of the Levitical Worship.*

It is true that Israel even at Sinai, and while the law was being given, set up an idolatrous service (Ex. xxxii. 1 ff.), and in no period, from the time of Moses down to the Babylonian exile, did it fully and continuously overcome its tendency to seek other gods and modes of worship. Nevertheless the Mosaic worship was introduced and steadily kept up among the people by the Levitical priests chosen for this purpose, on the whole, according to the precepts of the law. When in the anarchical times of the Judges every man did what was right in his own eyes (Judg. xviii. 6, xxi. 25), and the word of God was rare in Israel (1 Sam. iii. 1), the offering of sacrifice was kept up in legal fashion at the tabernacle at Shiloh, and the people gathered from year to year at the sanctuary to present their offerings and celebrate their feasts (Judg. xxi. 19; 1 Sam. i.–iii.). Even when at a later time, by the separation of the ark from the tabernacle (1 Sam. iv. ff.), this place of legal worship lost the symbol and pledge of the divine presence, and became a body without a soul, we find at Nob, to which after the destruction of Shiloh the tabernacle had been brought, the legal service in regular operation at this central sanctuary under charge of the Levitical priests (1 Sam. xxi., and xxii. 17 ff.) (1). So was it afterwards at Gibeon, when Saul had massacred all the inhabitants of Nob

with the edge of the sword (1 Sam. xxii. 19), till the building of the temple. David, indeed, removed the ark to Zion, and set up a tent for it there with regular worship (2 Sam. vi.; 1 Chron. xv. and xvi.). But at the same time he appointed the priest Zadok with his brethren to take charge of the service before Jehovah's dwelling on the high place at Gibeon (1 Chron. xvi. 39 ff.), and regarded it as the sanctuary at which sacrifices were to be offered (2). And hither, too, Solomon repaired at the beginning of his reign, to offer a sacred hecatomb on the altar (1 Kings iii. 4; 2 Chron. i. 3).

With the erection and solemn consecration of the magnificent temple of Solomon, the public worship of Jehovah was raised to higher glory in the sanctuary hallowed by the Lord Himself for His name to dwell in, though it cost the zeal of the pious theocratic kings many a long fight against the widespread worship on high places to suppress them and carry out the law of the unity of the place of worship (Deut. xii.). The lawful worship of Jehovah in the temple was not assailed even under the idolatrous kings Joram and Ahaziah, for the high priest Jehoiada presided over it (2 Kings xi. 3 ff.; 2 Chron. xxii. 12, xxiii. and xxiv.). The godless Ahaz was the first to break this continuity; he wickedly laid waste the temple (comp. § 26), and closed the doors of the porch, so that the service in the holy place ceased (2 Chron. xxix. 7) (3). But yet he did not venture to abolish the daily sacrifice, but only set aside the brazen altar of burnt-offering, and ordered his own sacrifices and those of the people to be presented on another, constructed after a model which he had seen at Damascus (2 Kings xvi. 10–16). Finally, Manasseh transformed the house of Jehovah completely into an idol-temple, so that the legal worship wholly ceased under him for a time, and was not restored till the reign of Josiah (2 Kings xxi. 3 ff., xxii. 3 ff.; 2 Chron. xxxiii. and xxxiv.). But not long afterwards the Chaldee catastrophe put an end to the kingdom of Judah, and with the burning of the temple also to the worship of Jehovah for the whole duration of the exile.

Immediately after the return of the people from the exile, the altar of burnt-offering was raised again in its old place, and the public sacrificial worship of the congregation again

restored. Thereafter it was interrupted only for three years (1 Macc. i. 54, 59, comp. with iv. 52), under the tyranny of the half-crazed Antiochus Epiphanes, who, to extirpate the religion of Jehovah, forbade the practice of the Mosaic ceremonial law, set up an idolatrous altar on the legal altar of burnt-offering at Jerusalem, and sacrificed idolatrous offerings on it (1 Macc. i. 20 ff.). But immediately after the expulsion of the Syrians from the temple mount, and the cleansing and restoration of the sanctuary, it was restored, and thereafter continued with increasing external propriety till the destruction of Jerusalem. But with the exile the earlier glory of the service was irrevocably gone. Not on one occasion could the oppressed people celebrate it with the ancient splendour; at the greater festivals foreign kings had to supply the materials of sacrifice (4); still less could the internal glory of the earlier worship be recalled. With the ark the Shekinah had vanished from Israel; with the ceasing of prophecy and the springing up of Pharisaic scholasticism, the people lost more and more the consciousness of the holy symbolism of their service, and its ceremonies degenerated into a soulless *opus operatum*, with other good works, such as alms, fasting, and the like, placed on an equal, if not higher level (5). While all the internal vital conditions of the Levitical worship thus disappeared, all typical sacrifices having been fulfilled by the sacrificial death of Christ, the shadowy service must needs cease for ever with the destruction of the second temple by the Roman eagles (6).

So long as the sacrificial service was rightly practised and administered at the legal central sanctuary, the Sabbaths and feasts were also regularly celebrated and the other ordinances observed. As soon, however, and as often as the sacrificial service sank to an *opus operatum*, the Sabbaths and feasts were also profaned, though their external celebration was not wholly omitted (7). Hence, when it is said of the passover under Josiah that from the days of the Judges or of the prophet Samuel, and during the whole time of the kings of Israel and Judah, no such passover was kept (2 Kings xxiii. 22; 2 Chron. xxxv. 18), the observance of the passover in earlier times is not thereby denied, but rather presupposed; and all that is meant is, that of the earlier

celebrations, none equalled that one again held by the whole nation, in every respect according to the precepts of the law (8). We are not entitled wholly to deny even the celebration of the Sabbatic and jubilee years by the absence of positive and clear testimonies as to their observance before the exile. Rather it may be inferred, not only from 2 Chron. xxxvi. 21, where with reference to Lev. xxvi. 34 ff. the seventy years' desolation of the land is represented as a punishment for neglect of the observance of the Sabbatic years, but also from Ezek. vii. 12 f., xlvi. 17, that even these institutions had struck their roots deeply into the life and consciousness of the people, so that with the increasing prevalence of idolatry under the later kings they were no doubt frequently omitted, not, however, wholly neglected. But from the times after the exile we have in 1 Macc. vi. 49, 53, and in Josephus, express testimonies to the fact that the Sabbatic years were carefully observed (9).

(1) According to 1 Sam. xxi. 7, the shewbread is regularly provided and removed, and the removed bread, from want of any other, is given by Abimelech to David and his followers; but only on the assurance that they were not unclean.

(2) This appears from the statement 1 Chron. xxi. 29, by which David's sacrifice on the threshing-floor of Araunah is justified.

(3) The words 2 Chron. xxix. 7: "And they offered not burnt-offerings in the holy place to the God of Israel," do not denote the entire cessation of the sacrificial worship, but only that no burnt-sacrifices were offered to the God of Israel, *i.e.* Jehovah. The sacrifices offered on the altar of burnt-offering, which was constructed after a heathen pattern, are not acknowledged by the author of Chronicles as sacrifices offered to Jehovah.

(4) So Darius at the consecration of the new temple, Ezra vi. 17, comp. with ver. 9 ff., and Artaxerxes, ordained that everything needful for the keeping up of the worship should be supplied to Ezra by his treasurers, Ezra vii. 20 ff.

(5) "The apocryphal writings, Philo, Josephus, testify how tame and spiritless, how death-cold the worship of God was, which, instead of the holy flame of the burnt-offering on the altar, requires only good behaviour from those who would serve the Lord." Neumann, *die Opfer des A. B., in deutsch. Ztschr. f. christl. Wissensch.* 1852, p. 252 f., and the proof adduced in a note: "Compare only, if necessary, expressions like those of

Judith viii. 9–13 (?); Tob. xii. 7, 9, xiv. 10, 11; Sir. xxxi. 11, iii. 33 (30), xvii. 18 (22), iii. 1–8. The out-and-out rejection of sacrifice, we find Judith xvi. 16; Sir. vii. 9, xxxiv. 23. In its place comes the striving after wisdom, in the Book of Wisdom vi. 10, vii. 14, 18, xv. 3. For God loves them who love wisdom (Sir. iv. 15); to obey it is better than the ceremonies of sacrifice (xxxv. 1–4). Yet neither are these to be omitted. For he who *gives* to God, receives *so much the more* from Him," etc.

(6) Comp. the treatise of Bernh. Friedmann and Dr. H. Grätz: "die angebl. Fortdauer des jüd. Opfercultus nach der Zerstörung des zweiten Tempels," in Baur and Zeller's *theol. Jahrbb.* 1848, p. 338 ff., where proof is led to the following effect: "With the destruction of the temple under Titus, Jewish sacrifice came wholly to an end; neither in nor out of Jerusalem, neither on the altar nor anywhere else, was sacrifice afterwards offered; not even a substitute for sacrifice with anything of a sacrificial character found a place; equivalents for sacrifice with apparent accommodation to the character of sacrifice, *prayer* and *study of the law*, had wholly supplanted sacrifice and rendered it superfluous; only a single reminiscence, and that on the evening of the passover, has kept its ground to the present day; but even that with the most careful and anxious setting aside of every trace of a sacrificial kind" (p. 358).

(7) According to 1 Kings ix. 25, Solomon offered burnt and thank offerings and incense three times in the year, *i.e.* at the three annual feasts (2 Chron. viii. 12 f.).—Even in the kingdom of the ten tribes Sabbaths and new moons were regularly kept (2 Kings iv. 23), impatient as the rich usurers were of these solemnities (Amos viii. 5). That this keeping of the yearly feasts had taken deep and firm root in the consciousness of the people appears from the fact that Jeroboam for his kingdom transferred the feast of the seventh month (tabernacles) to the fifteenth day of the eighth month, to strengthen the political separation by religious differences (1 Kings xiii. 32); and with equal clearness from the circumstance that all the denunciations of the prophets against profanation of the Sabbaths and feasts supposes their external observance (Isa. i. 13 f., lvi. 2, lviii. 13; Jer. xvii. 21, 24; Ezek. xx. 16, xxii. 8), and that Jeremiah in his lamentation over the destruction of Jerusalem and the temple dwells on the fact that Jehovah causes feast and Sabbath to be forgotten in Zion (Lam. ii. 6).

(8) Comp. Hengstenberg, *Beiträge z. Einl.* iii. p. 83, and my comment. on the passage. Even the pious Hezekiah, in the solemn passover appointed by him, was obliged to depart in

many particulars from the law, and especially to keep it in the second month, 2 Chron. xxx. 2.—The same holds of the remark regarding the feast of tabernacles under Ezra and Nehemiah: "Since the days of Joshua the son of Nun had not the children of Israel done so" (Neh. viii. 17), *i.e.* they had not at this feast dwelt in booths specially erected for the purpose.

(9) Many expositors find a reference in Isa. xxxvii. 30 to the Sabbatic year, but the reference is uncertain (comp. § 81. 12). On the other hand, the passage Ezek. vii. 12 f., as Jerome already recognised, becomes clear only from the idea of the jubilee year, and shows how deeply that ordinance had penetrated and dominated the whole life of the people, so that its abolition could be here regarded as something which must be felt very painfully by them. Hävernick, *Comment.* p. 87.—Altogether, if these institutions had not lived in the minds of the people, and therefore been observed in earlier times, neither would the chronicler have represented the lying waste of the land during the exile as a compensation secured to the land for the neglected observance of the Sabbatic years (2 Chron. xxxvi. 21), nor would Nehemiah (x. 31), when laying the people under obligation to keep the law, have mentioned the Sabbatic year along with the Sabbaths and other holy days.—The regular observance of the Sabbatic year in post-exilic times appears from the facts that, according to Josephus, *Antiq.* xi. 8. 1, Alexander the Great, and according to xiv. 10. 6, Cæsar, remitted their taxes to the Jews every seventh year, because in it they were accustomed neither to reap nor to sow; that, according to xiii. 8. 1, a siege is raised because of the beginning of the Sabbatic year; and according to xv. 1. 2, a famine arises under Herod in the Sabbatic year. Comp. also Wolde, *De anno jubil.* p. 65.

§ 90. *Worship on High Places and Image-worship.*

I. *Worship on high places.* — Side by side with the legal service in the tabernacle and temple, there prevailed from the earliest times of the Judges onwards, almost without interruption till the exile, *worship on high places,* forbidden in the law (Deut. xii. 13), *i.e.* the honouring of Jehovah with sacrifices and incense on altars (בָּמוֹת) (1), which were mostly raised on heights and hills (2) in various parts of the land, partly such as were hallowed in the eyes of the people by patriarchal memories. These altars are to be distinguished from the idolatrous places of worship, or sanctuaries and altars, called

Bamoth, on which Baal and other idols were honoured, though the high-place cultus devoted to Jehovah could easily degenerate into positive idol-worship, and may often have actually done so. The origin of this worship on high places may be partly traced to the simple custom of the patriarchs, who built altars and offered sacrifices at the places where Jehovah revealed Himself to them. But it is mainly to be sought in the influence which the Canaanites, who were left in the land with their Bamoth, notwithstanding that Israel was required to destroy them (Lev. xxvi. 30; Num. xxxiii. 52), exercised, and could not fail involuntarily to exercise, on the heart of the people of Israel, so earthly in tone, and in its sensuality so disinclined to the severe discipline of the earnest worship of Jehovah, with its commands and usages insisting upon the denial of the flesh and consecration of the heart. The Bamoth, however, were widely spread, and the people held tenaciously to this worship, even after the building of the temple, with its grand and imposing service. This may be explained, to some extent, by the inconvenience and trouble which those who lived in remote parts of the land may have felt in offering sacrifice only in Jerusalem. But it was mainly due to the fact that in the disturbed and lawless times of the Judges sacrifice was offered even by Levitical priests and prophets, without any transgression of the law, in various parts of the land. These facts may have strengthened people who did not weigh the temporary relations and circumstances which rendered those sacrifices lawful, in the delusion that this service, if only it was paid to Jehovah, and not heathen idols, was not displeasing to God (3).

The pious kings of Judah, indeed, earnestly exerted themselves, though long without complete success, to suppress and root out this illegal worship, so dangerous to the true homage of the living God (4). But with the revolt of the ten tribes from the royal house of David, it was expressly sanctioned by Jeroboam in the kingdom of Israel founded by him, and raised to the place of the national worship, by his erecting high-place temples (בָּתֵּי בָמוֹת, 1 Kings xii. 31, xiii. 32) at Bethel and Dan, and appointing priests (כְּמָרִים) over them, not only of the Levites, but any one of the people who was willing (1 Kings xii. 31, xiii. 33). This cultus, introduced on

political grounds (1 Kings xii. 26 ff.), was maintained by all the kings of the ten tribes down to the fall of the kingdom (2 Kings xvii. 9, 29, 32).

(1) The proper meaning of בָּמָה is still doubtful. On the one hand, בָּמָה is distinguished from מִזְבֵּחַ (2 Kings xxiii. 15*b*; 2 Chron. xiv. 3). But, on the other hand, in 2 Kings xxiii. 15*a*, "the altar (מִזְבֵּחַ) which is at Bethel" is identified with the "בָּמָה which Jeroboam had made." Hence it is clear that בָּמָה does not, indeed, denote the altar; but the altar of sacrifice was the main thing in the Bamah. That בָּמָה denotes a *height* is evident, (*a*) from the LXX. and the Vulgate, which translate בָּמוֹת in the historical books mostly by τὰ ὑψηλά, τὰ ὕψη, *excelsa*; (*b*) from the phrase רָכַב עַל־בָּמֳתֵי אֶרֶץ, to ride on the high places of the earth (Deut. xxxii. 13; Isa. lviii. 14; Micah i. 3; comp. בָּמְתֵי עָב, Isa. xiv. 14; בָּמְתֵי יָם, Job ix. 8, etc.); (*c*) from the fact that Ezekiel uses רָמָה for it (xvi. 24, 31, 39, comp. with ver. 16). Comp. Gesenii *Thes.* i. p. 187 sq. There is no support for the meaning: *fencing*, a place fenced off, *a sacred grove* (Thenius in the *Ztschr. v. Winer*, i. 1, p. 145; comment. on 1 Sam. ix. 12 and 1 Kings iii. 3; Böttcher, *De Inferis*, § 82). As to the nature and arrangements of the Bamoth there is nothing certain. Of the two places in which בָּמָה is clearly distinguished from מִזְבֵּחַ, 2 Kings xxiii. 15 refers to the sanctuary at Bethel, which was a בֵּית בָּמוֹת (1 Kings xii. 31), a temple in the strict sense, in which a golden calf was set up as Jehovah's symbol, with an altar of sacrifice; the other (2 Chron. xiv. 3) treats of Canaanitish sanctuaries, dedicated to Baal and Astarte, which, according to Ezek. xvi. 16, were (at least sometimes) tent-temples hung with cloth of various colours. But whether the Bamoth erected for the service of Jehovah were like these cannot be proved from the Old Testament. Ewald thinks (*Gesch. d. V. Isr.* iii. p. 418): "These *high places* were an old Canaanite kind of sanctuary, which also became common in Israel, consisting of a high cone of stone as the emblem of the holy, and of an altar, the 'high place' proper, a holy tree or grove, or some image of the particular god." But this view finds a very precarious support in the representation of the temple at Paphos, preserved on a coin, and none at all from the passages adduced in its favour, Num. xxxiii. 52; 2 Kings xxiii. 15 (Deut. xii. 3); and besides, it is rendered improbable by the constant distinction observed between במה and אשרה. And even Thenius (on 1 Kings iii. 3) can find the "high cone" [hohen Kegel] in no passage of the Old Testament.

(2) That the Bamoth were also erected in valleys cannot be proved, with Böttcher, *ubi supra*, from Num. xxi. 28 and Hos. x. 8; only the Bamah devoted to Moloch stood in the valley of Hinnom (Jer. vii. 31, xxxii. 35). In the kingdom of the ten tribes every city had its Bamoth (2 Kings xvii. 9). Comp. Ezek. xvi. 24, 31, 39.

(3) In perfect harmony with the law are the sacrifices of the people at Bochim (Judg. ii. 5), Gideon's at Ophrah (Judg. vi. 13 ff.), and Manoah's at Zorah (Judg. xiii. 19), because these were called forth by appearances of the angel of the Lord. For where the Lord reveals His presence, there may His people sacrifice to Him. "Where God appears, there, so long as the appearance lasts, is a sanctuary; and he to whom God appears becomes for the time a priest" (Hengstenberg, *Beitr.* iii. p. 41). Perfectly legal, also, are the sacrifices at those places where the ark of the covenant was, though only for a time, as at Bethel (Judg. xx. 27), where an altar was built and sacrifice offered (xxi. 4 ff.). On the contrary, Samuel's offering at Mizpah (1 Sam. vii. 9 ff.), Rama (1 Sam. ix. 12), and Gilgal (1 Sam. x. 8), are not to be explained by his plenipotentiary powers as a prophet; for the prophets did not stand above, but under the law, in all particulars wherein the Lord had not specially revealed His will to them; but they find complete justification in the circumstances of the time, *i.e.* in the fact that from the time that the ark was taken by the Philistines, and even after its restoration to the Israelites, it was not brought into the tabernacle; the tabernacle itself had lost the pledge and symbol of the divine presence, and ceased to be the place where the Lord put His name (Deut. xii. 5, 11, 21). Thereby the tabernacle itself became a Bamah, and so long as God Himself did not restore His sanctuary, it was permitted to the prophet Samuel, at the places where he appeared as judge of the people, to erect altars, which also are described as Bamah (1 Sam. ix. 11 ff., etc.), and to offer burnt and other offerings on them. This interim was brought to an end partly by David's solemn transference of the ark to Zion, with the setting up of the orderly Levitical service, but not completely, till the building of the temple, which Jehovah, after it had received the ark into its holy of holies, filled with His glory (1 Kings viii. 10). Now the law (Deut. xii.) came again into full force, and all other places of sacrifice in the land became illegal Bamoth. But this difference of time and relation was not regarded by the people, as it is still overlooked by many modern theologians. Thenius, *e.g.* (on 1 Sam. vii. 5), who can explain Samuel's conduct only as an "intentional and calculated opposition to the traditional priesthood," and a striving, with a deliberate avoid-

ance of Shiloh, because he had known the priestly government in all its shamelessness, "to introduce a freer Jehovah-worship." The correct explanation is already given by the old Seb. Schmidt (*Comment. in libr. Sam.* p. 187 sq.), and recently in Hengstenberg, *Beitr.* iii. p. 48 f.

(4) This is related specially of the kings Asa (1 Kings xv. 14; 2 Chron. xv. 15, comp. with xiv. 2), Jehoshaphat (1 Kings xxii. 44; 2 Chron. xx. 33, comp. with xvii. 6), Jehoash (2 Kings xii. 4), and Amaziah (2 Kings xiv. 4). The kings Hezekiah and Josiah were the first to root it out (2 Kings xviii. 4, xxiii. 8, 19), though not permanently. Of these high places it is expressly remarked (2 Chron. xxxiii. 17), that the people offered sacrifices on them to Jehovah their God.

II. *Image-worship.* — The worship of Jehovah by images, as visible representations of His eternal invisible being, which was also strictly forbidden in the law (Ex. xx. 4; Deut. iv. 16, v. 8, xxvii. 15), is closely related to that on high places. In one respect, indeed, it is only a continuation of it, for image-worship was also celebrated with sacrifices. The Israelites had partly brought it out of Chaldea, the home of their fathers; partly adopted it from the Egyptian idolatry (Josh. xxiv. 14). From Chaldea come, according to Gen. xxxi. 19, 34, the *teraphim* (תְּרָפִים) (5), smaller or larger images in human form (6) of household gods or penates; that is to say, patron deities, protectors, and givers of earthly good fortune, at whose hands were sought help and protection in the difficulties of life, and insight into what was hidden in the case of precarious undertakings (7). These teraphim are, in the time of the Judges, brought into connection with the high priest's ephod,—the Ephraimite Micah creating for himself a house of worship, with an image of Jehovah, and an ephod and teraphim, for which he took into his service a Levite as priest (Judg. xvii.) (8). By this image-worship, whose sacred apparatus was carried off by the Danites and set up in the city of Laish-Dan, which was conquered by them (Judg. xviii. 15 ff.), the teraphim became oracles, to which men ascribed the power of prophecy, and as such they were honoured, down to the exile, by the idolatrous people (Hos. iii. 4; Ezek. xxi. 26; Zech. x. 2).

(5) Of the various derivations of the word תְּרָפִים, on which comp. Roediger in Gesen. *Thes.* iii. 1520, the most probable is

that from the Arabic ترف, bonis commodisque vitæ affluxit vel iis fruitus et lætatus est, or from תרף=טרף Prov. xxx. 8, for which Hävernick, *On Ezek.* p. 347 ff.; Roediger, *ubi supra;* and Delitzsch, *Gen.* pp. 411 and 555, 4th ed., decide, and which are substantially the same. Thus understood, teraphim are nourishers and providers, distributors of earthly blessings, *penates*, from *penus*, the store-room of the house, according to Firmicus Maternus in Delitzsch, *ubi supra;* and perhaps also, as Hitzig, *On Ezek.* p. 149, thinks connected with θέραπες. All other derivations are unsupported, and unsuitable. The explanation again taken up by Hofmann (*Schriftbew.* i. p. 375 f.), and adopted by Kurtz (*Gesch. d. A. B.* i. p. 251 [Eng. tr. i. p. 321 f.]), that of Lud. de Dieu: תְּרָפִים=שְׁרָפִים, *nobiles*, Roed. rightly designates as *a consucta literarum permutatione abhorrens.*—According to Ewald (*Alterthümer*, p. 298), teraphim denotes "nodding face or living mask" (!). This he deduces from the accounts collected by Chwolsohn (*Die Ssabier*, ii. p. 152 ff.), regarding human heads and idols uttering oracles.

(6) The human figure, at least so far as head and face are concerned, appears from 1 Sam. xix. 13, and at the same time that Michal's teraphim-image was of a man's size, whereas Laban's teraphim, which Rachel, on Jacob's departure from Mesopotamia, without her husband's knowledge, stole from her father, must have been very small, for Rachel could conceal it in the camel's saddle on which she sat (Gen. xxxi. 30 ff.). The plural of the word, as appears from 1 Sam. xix. 13, does not necessarily imply more images than one.

(7) In the Old Testament the teraphim are certainly only named, as Hengstenberg, *Christol.* iii. 1, p. 396 [Eng. tr. iii. p. 437], has proved, as serving to make known the future; so 1 Sam. xv. 23; Hos. iii. 4; 2 Kings xxiii. 24; Ezek. xxi. 26; Zech. x. 2. Laban, too, according to Gen. xxx. 27, dealt in auguries נִחַשׁ, and must have used his teraphim for this purpose. So, no doubt, Michal also ascribed this power to her teraphim. But this does not exclude the view that the teraphim were, originally and strictly speaking, *penates.* Similarly, from the fact that Micah connects them with the ephod, it by no means follows that they were intermediate deities, who might be brought into connection with any system of religion (Hengstenberg, *Christol.* i. p. 323 [Eng. tr. i. p. 278]). Laban calls the teraphim his Elohim, and in Gen. xxxv. 4 they are named אֱלֹהֵי הַנֵּכָר.

(8) The cultus set up by Micah in a special house was not, properly speaking, idol-worship, but only image-worship devoted to Jehovah. His mother had already dedicated to

Jehovah the silver of which the graven and molten image (פֶּסֶל וּמַסֵּכָה) was made for this very purpose (Judg. xvii. 3 f.). To the service of Jehovah belonged also the ephod, which Micah procured with teraphim (ver. 5); therefore also he hires a Levite to be priest (ver. 9 ff.), and believes, after getting him, that Jehovah will do him good (ver. 13); and this priest answers the question of the Danites as to the prosperity of their way from Jehovah (xviii. 6). According to these clear declarations of the text, we dare not regard the carved and molten image as figures of heathen idols, but as an image of Jehovah. We have to represent the matter thus, that פֶּסֶל was the image of God, strictly so called, carved in wood, and מַסֵּכָה either a silver covering or the pedestal for the image (Hengstenberg, *Beitr.* iii. p. 95, and *Christol.* i. p. 323 [Eng. tr. i. p. 278]). This view is still further confirmed, that in chap. xviii. 20, 30, 31, only the former of these is named, because it was the most important. And as the two formed a whole, so also the ephod and the teraphim, which Micah had procured in addition to the carved image. This connection we shall have to think of thus, that in the ephod the high-priestly shoulder-dress with the choschen was imitated, and the teraphim as Urim and Thummim, were put as oracles into the choschen. This image-worship, which in the Old Testament indeed is charged to the idolatrous character of the Israelites, but not "uniformly" — as Kurtz, *ubi supra*, says — but is nowhere designated idolatry, sprang from the superstition which imagined that the power to discover the divine will, promised to the high priest as the bearer of the ephod in his official service before Jehovah, attached to the dress, and could be secured with the dress. This is clearly shown by Gideon's history. This champion for Jehovah, who destroyed the altar of Baal belonging to his father, and cut down the Asherah beside it (Judg. vi. 25 ff.), yet had a golden ephod made and set up in his native city Ophrah (viii. 24 ff.). That neither was this *ephod* an *idol* (Gesenius, Vatke), but merely an imitation of the high priest's shoulder-dress, and that Gideon only intended, with this sanctuary in his native city, to discover the will of the national God, Jehovah—"very much as if one who wished privately to imitate the Catholic service of the mass would make himself mass robes" (Winer, *R.W.* i. p. 333), is clearly shown to be the meaning of the historian, for he relates (viii. 33) that Baal-worship was not again introduced till after Gideon's death. Nevertheless this worship in an obscure corner was illegal, and disturbed the pure worship of Jehovah, and so became a snare to Gideon and his house (Judg. viii. 27). Gideon does not seem to have set up a Jehovah-image; for the biblical author

would have mentioned this of him as well as of Micah. Comp. my comm. on Judg. viii. 27.

The *second* form of image-worship among the Israelites has its origin in Egypt, where not only were the gods worshipped under the images of animals, but two live oxen, Apis as the symbol of Osiris, and Mnêvis as representative of the sun-god, were worshipped at Heliopolis (9). Aaron was forced to make such an image of the Deity for the people at Sinai, as a representation of Jehovah; and this image-worship brought heavy punishment on the people, while the image was destroyed by Moses (Ex. xxxii. 3 ff.) (10). Later, however, this example was followed by Jeroboam, who had resided in Egypt before his election to be king of the revolted tribes, and the worship of Jehovah was set up under the image of two golden calves (עֲגָלֵי זָהָב, probably young oxen cast in bronze and gilded) in temples expressly built for them at Bethel and Dan; and this cultus was observed as the national worship of the ten tribes down to the dissolution of the kingdom (1 Kings xii. 28 ff.; 2 Kings xvii. 16) (11). This calf-worship is throughout the Old Testament, and especially in the Books of Kings, very clearly distinguished from Baal and other idol worship.

(9) See the proofs in Hengstenberg, *Beitr.* ii. p. 155 ff., and Winer, *R.W.* i. p. 644.

(10) On the making of the golden calf, and its destruction by Moses (burning it with fire, grinding to powder, and giving to the people with water to drink, Ex. xxxii. 20; Deut. ix. 21), comp. my commentary on the passage.

(11) Comp. Hengstenberg, *Beitr.* ii. p. 160 ff.

A *third* kind of image-worship was that of the brazen serpent set up by Moses in the wilderness (Num. xxi. 8 ff.), to which the people in later times offered incense, until Hezekiah had this image (called נְחֻשְׁתָּן) broken to pieces (2 Kings xviii. 4). No doubt this image too was imagined to have some divine power magically inherent in it, and which might by the worship of it be appropriated, because God had commanded it to be set up for the people in the wilderness as a symbol of their healing from the bite of the fiery serpents, as a *σύμβολον σωτηρίας*, not, however, *διὰ τὸ θεωρούμενον, ἀλλὰ διὰ Θεὸν τῶν πάντων σωτῆρα*, as we have it in Wisd. xvi. 6–8 (12).

(12) See the different opinions regarding the object and meaning of this symbol in Kurtz, *Gesch. d. A. B.* ii. p. 428 ff. [E. tr. iii. p. 344 ff.].

§ 91. *Idolatry.*

Though the family of Abraham had not kept free from heathen ways (Josh. xxiv. 2), yet Abraham still worshipped the one true God when He revealed Himself to him, and called him to leave the paternal home for Canaan (Gen. xii. 1). The teraphim which Rachel took with her from her father's house (Gen. xxxi. 19) were household idols of an inferior kind, which might be combined with the worship of the one supreme God. Hence we find no idolatry in the strict sense, either among the patriarchs or among the Israelites in Egypt and under Moses, but only solitary traces of idolatry and image-worship among the latter, whereby the knowledge and worship of God, who had revealed Himself to their fathers, was so far polluted but not supplanted (1). The people of Israel were first seduced to apostasy from Jehovah the God of their fathers into heathen idolatry, despite the strong prohibitions of it in the law (comp. Ex. xx. 19; Lev. xix. 4; Deut. vi. 14 f., viii. 19 f., xi. 16, xiii. 2 ff., xvii. 2 ff.), after their possession of Canaan, in the time of the Judges, by the Canaanites who had not been rooted out (2). — The various gods to whose service the Israelites gave themselves were *Canaanitish*, and not till after the invasion of Palestine by the Assyrians were *Assyrian* idols added (3).

(1) In the patriarchs and the lawgiver of the Hebrews —Schlottmann well remarks in Riehm's *Handwörterb. des bibl. Altert.* i. p. 126—their purer knowledge and worship of God appears, according to the undoubtedly true tradition in the Pentateuch, as springing from God and divine revelation. Yet not so, as many moderns have sought to represent the matter, as if the purer spiritual worship of Jehovah had first from Abraham or Moses onwards, especially with the help of the prophets, gradually emancipated itself from the heathen sensual Baal-worship with which it began. . . . According to the Bible representation, God appears to Abraham, not as a new, but as an anciently known God (Gen. xii. 1). The revelation and knowledge of Him are carried back to Noah, and beyond him to the beginnings of the human race. And

however freely criticism may treat the letter of biblical primæval history, this holds good as the true memory of the oldest races cleaving to the original consciousness of God. For profounder scientific investigation leads also to similar conclusions. So Welcker, in his treatise on the Greek doctrine of God (i. p. 229, comp. p. 228), adduces the supernatural everywhere distinguishable as the original which is expressed even before the separation of the Indo-Germanic races in the word *dêwas* as the common name for God. "The original, the *notitia insita*, says he, is God, not gods; these are the work of human thought and the formation of language. Hence the supernatural, in consequence of a disturbance of the original consciousness of God, was more and more dragged down to the natural." In proof of this, Schlottmann points to the oldest songs of the Vedas, in which the mythological process referred to is very clearly seen, and to the course of development followed by Semitic heathenism. Diestel, in his treatise, "der Monotheismus des ältesten Heidentums bei den Semiten untersucht" (in the *Jahrbb. f. deutsche Theol.* v. [1860], p. 669 ff.), has not invalidated these facts.—The traces of idolatry which have been sought in Ex. xxxii.; Lev. xvii. 7; Num. xxv. 2; Josh. xxiv. 14; Ezek. xx. 7, and Amos v. 25 f., prove nothing more than disturbances of pure Jehovah-worship by image-worship, heathen superstition, and proneness to fleshly sins. The golden calf (Ex. xxxii.) was intended to be a representation of Jehovah after an Egyptian pattern. The שְׂעִירִים (Lev. xvii. 7: *Feldteufel* [field-devils], in Luther) are like the שֵׁדִים (Deut. xxxii. 17), demons, goblins, which were supposed to dwell in the wilderness, and against whose pernicious influence men sought to protect themselves by sacrifices—that is to say, heathen figures especially belonging to Egyptian superstition; and proneness to fleshly sins seduced the Israelites into fornication with the daughters of Moab (Num. xxv. 2). To these kinds of apostasy and idolatry, both the warning of Joshua (xxiv. 14) and the rebuke of the prophet Ezekiel (xx. 7) refer. Amos, too, with his rebuke, v. 25 f.: "Did ye bring unto me (Jehovah) sacrifices and offerings in the wilderness forty years, O house of Israel? Yea, ye have borne the tabernacle of your king and the shrine of your images, the star of your gods, which ye made to yourselves," has in view image-worship, but not the service of the Assyrian idols Sakkuth and Kewan. It may be true, that in the syllabaries of King Assurbanipal the ideogram of the star Saturn is explained by the Assyrian *Ka-ai-va-nu*, i.e. *Kewan*, and that *Sakkuth* occurs as a surname of *Adar*, the Assyrian ox-god, the god of the planet Saturn, *i.e.* of Moloch-Kewan-Sandan-Hercules (Schrader, "Kewan and

Sakkuth Am. v. 26," in the *Theol. Studien u. Krit.* 1874, p. 324 ff.); but this does not in the least prove that in the passage quoted סִכּוּת is identical with the Asssyrian שַׁכּוּת, and that כִּיּוּן is to be changed into כַּיְוָן. The explanation of the מַלְכְּכֶם by Μολόχ may, indeed, be supported by the translation of the LXX., and that of כִּיּוּן by Kewan by the Syriac version; but for the explanation of סִכּוּת by Sakkuth there is no critical authority whatever, for all the old versions have rendered סִכּוּת as an appellative. And the difficulties which Schrader has raised against our translation of the verse are quite unimportant when compared with the critical, linguistic, and material difficulties to which his translation is subject: "So shall ye then take Sakkuth your king, and Kewan your star-god, your images which ye made for yourselves, and I will carry you into captivity." For this explanation requires not only the transposition of כּוֹכַב אֱלֹהֵיכֶם and the change of צַלְמֵיכֶם into צַלְמְכֶם, but also, since Assyrian idolatry among the Israelites as they went out of Egypt under Moses is historically inconceivable, the taking of וּנְשָׂאתֶם as a future, while its undeniable correspondence with הִנַּשְׂתֶּם unconditionally requires it to be taken as a preterite.

(2) "It has been sought to prove it self-contradictory, and therefore unhistorical, that the pure religion of Jehovah prevailed in the earliest times, and yet that from the date of the Judges there constantly took place an apostasy to the lower Baal-worship. But this is easily explained by the seductive power which the nature-principle exercised, appearing bright and gay in opposition to the austerity of Mosaism." Schlottmann, *ubi supra*, p. 115. There was, besides, the syncretist character of the heathen cults, in virtue of which Jehovah-worship was not excluded by Baal-worship. Comp. on this my commentary on Judg. ii. 13 f., 2nd ed.

(3) The distinction between Canaanitish and Assyrian gods is intended only to denote the two historical phases of heathen idolatry to which the Israelites gave themselves. The origin both of the Canaanite-Phœnician and of the Assyrian worships is to be sought, according to the reliable results of more recent investigations, in Babylonia. *Baal* (בַּעַל) is the Canaanite-Phœnician form of the name, which in Aramaic sounded *Beel* (בְּעֵל), and in Babylonian-Assyrian *Bel* (בֵּל, omitting the ע); and this name is the most common designation of the chief deity, not only of the ancient Babylonians, but also of the Canaanite-Phœnicians, Aramæans, and Assyrians who went out from Babylonia, the cosmo-sidereal meaning and mythological form

of which experienced many modifications among these peoples in the course of time. The religion and mythology of these nations was in its ultimate ground of an astral nature, *i.e.* star-worship, which in correspondence with the two chief heavenly bodies, the sun and the moon, was developed dually according to the two sexes. By the side of *Baal* as sun-god, stood the moon-goddess *Astarte*, Assyrian *Istar*. Both together denote nature-deity in its widest sense, which was worshipped in Baal as the active, generative, in Astarte as the passive, receptive, conceiving principle, and was probably seen from the beginning of heathenism onwards, in the relation of the sun to the moon. —Only it is a question whether this star-worship in its sexual dualism originally springs from the Semites, or, as Schrader (*Assyrien*, in Riehm's *Handwörterb. des bibl. Altert.* i. p. 107 f.) thinks, goes back to that ancient people (of Turanian origin ?), from whom the Babylonians and Assyrians borrowed their writing, the aborigines of Chaldæa whose territory the Semites from Arabia invaded, partly to settle there, partly to pass to the north and west. This question cannot yet be answered. The grounds which Schrader, *ubi supra*, and in his treatise, "Die Abstammung der Chaldäer u. die Ursitze der Semiten" (in the *Ztschr. d. DMG.* xxvii. p. 397 ff.), has alleged for it, when closely examined, are extremely weak.

I. The idols of *Canaan* are comprehended under the names *Baalim* and *Ashtaroth* (הַבְּעָלִים וְהָעַשְׁתָּרוֹת, Judg. ii. 11, 13; 1 Sam. vii. 4, xii. 10), or *Baalim* and *Asheroth* (הַבְּעָלִים וְהָאֲשֵׁרוֹת, Judg. iii. 7).

1. The chief deity common to all Canaanitish peoples was [*the*] *Baal* (הַבַּעַל always with the article), originally a sun-god as the principle and bearer of physical life, and of the generative, propagating power of nature. But inasmuch as there was comprehended in the name *Baal* the whole full conception of the male-nature deity, he was regarded not only as the generating and producing, but also as the preserving and destroying principle, and accordingly he was variously worshipped in different places and at different times (4). There were therefore many Baals (בְּעָלִים, *i.e.* not statues or images of Baal, but various conceptions of the god) (5). Hence the Greeks and Romans identify Baal, on the one hand, with the Olympian Zeus as the king of heaven, and with Saturn as the principle of order, unity, and necessity in the organism of the world, as well as with Mars, the principle of dissension,

disorder, and destruction in the totality of nature; on the other hand, frequently with Hercules as the mythical manifestation of the highest nature-deity.—Of the various Baals the most distinguished is the older *Phœnician Baal*, in whose temple at Tyre there was no statue of the god, but only two pillars, the one of gold, the other of emerald. The cultus of this Baal was introduced by Ahab (no doubt to gratify his Sidonian consort Jezebel) into Samaria, where he erected (1 Kings xvi. 32; 2 Kings iii. 2) a temple to him with a monumental pillar (מַצֵּבָה, *i.e.* a conical stone dedicated to Baal), a tower-like building with an outer court, in which the altar of sacrifice and several wooden Mazzeboth stood as *πάρεδροι* and *σύμβωμοι* of Baal (2 Kings x. 25–27) (6). This cultus had a numerous body of priests and prophets (according to 1 Kings xviii. 22, to the number of 250 prophets; comp. 2 Kings x. 19 ff.), who in a special official dress served the god with incense (Jer. vii. 9, xi. 13, xxxii. 9) and with sacrifices, in offering which they danced round the altar in a corybantine sort of war-dance, and pricked their bodies with lances to the effusion of blood (1 Kings xviii. 26 ff.).

Of particular local conceptions of Baal, there are named in the Old Testament:—

a. The *covenant-Baal* (בַּעַל בְּרִית), worshipped in a temple at Shechem (Judg. viii. 33, ix. 4) as god of the covenant (אֵל בְּרִית, ix. 46), *i.e.* as protector and guardian of engagements, similar to *Ζεὺς ὅρκιος*, *Deus fidius* (7);

b. The *fly-Baal* (בַּעַל זְבוּב), *Beelzebub*, lord of flies, who produces, but also removes the swarms of tormenting flies, which in southern lands cause even sicknesses; similar to the *Ζεὺς Ἀπόμυιος* of the Eleans, the *Μυίαγρος*, *deus myiagros* or *myiodes* of Pliny, consulted as a predicting idol at Ekron by Ahaziah of Israel in his sickness (1 Kings i. 2 ff.) (8);

c. *Baal-Peor* (בַּעַל פְּעוֹר), mentioned as god of the Moabites, to whose worship the Israelites were seduced in the plains of Moab, Num. xxv. 1 ff., xxxi. 16; Josh. xxii. 17, probably one with *Chemosh* (כְּמוֹשׁ), the war-god of the Moabites, to whom Solomon built a Bamah for his Ammonite wives on the southern slope of the Mount of Olives (1 Kings xi. 7; 2 Kings xxiii. 13) (9). As war-god he was called by the Greeks *Ἀριήλ*, *i.e.* God's lion, and represented on the coins

of Areopolis (Ar or Rabbath-Moab) as standing on a pillar, a sword in his right hand, lance and shield in the left, with two torches at his side, and worshipped by the Moabites with sacrifices and sacrificial banquets, which in chambers degenerated into unchastity, and propitiated in times of great distress even with child-sacrifices (2 Kings iii. 27). According to Judg. xi. 24, *Chemosh* gave the Ammonites their land, as Jehovah gave their inheritance to the Israelites. The two peoples being kindred to one another, it follows from this, not only that Chemosh was also worshipped by the Ammonites, but that if not identical, he was closely related to the Ammonite god *Milcom*, or *Malcam*, or *Molech* (מֹלֶךְ, 1 Kings xi. 5, 33; 2 Kings xxiii. 13; מַלְכָּם, Jer. xlix. 1, 3; Amos i. 15; מֹלֶךְ, 1 Kings xi. 7), to whom also Solomon built an altar. Nothing further is known of his cultus (10).

(4). Comp. Movers, *Religion der Phönizier*, p. 181 ff., where the proofs are collected from the old authors; and Schlottmann in Riehm's *Hwb. des bibl. Altert. s.v.* "Baal."

(5) Against the explanation of בְּעָלִים, *statuæ Baalis*, in Gesen. *thes.* i. 224, Movers rightly remarks (*ubi supra*, p. 175): "Neither the singular nor the plural ever occurs denoting an image of Baal, for which מַצֵּבָה is always used, and the untenablexess of the view appears from passages like Hos. ii. 15, 19, 2 Chron. xxiv. 7, in which we read of the *feast days of the Baals*, of the solemn *invocation of the names of the Baals*, of *making images for the Baals*, and where the meaning *Baal-images* would be wholly unsuitable."

(6) According to Ewald (*Gesch. d. V. Isr.* iii. p. 491 f.), there was to be seen in this temple "the sun-god represented (perhaps with his fellow-gods on much smaller pillars), and in front of the temple a very high ornamented pillar to the god." Ewald has presented the temple with these images of Baal and his fellow-gods at his own expense.

(7) Wrongly, Movers (p. 171), and Bertheau on Judg. ix. 4: "covenanted Baal, or Baal in so far as any one entered into covenant with him."

(8) Comp. K. B. Stark, *Gaza u. die philist. Küste*, Jen. 1852, p. 260 f. The common notion of Beelzebub as "defender from insects" (so still in Movers, p. 175, and Winer, *R. W.* i. 120) is manifestly too narrow. The name even is against the view. "The fly-god cannot have his name as the enemy of flies, somewhat like *lucus a non lucendo*." The LXX. translate: Βάαλ μυῖαν Θεὸν Ἀκκαρών (2 Kings i. 2, 3, 6, 16), and Josephus

(*Antiq.* ix. 2. 1) writes: πρὸς τὴν Ἀκκαρὼν Θεὸν Μυῖαν, τοῦτο γὰρ ἦν ὄνομα τῷ Θεῷ, and they thereby designate the god himself as a fly, as a fly-idol, to which also the expression Myiodes points, the gnat-like god, or god of the gnat kind, in Pliny, *hist. nat.* 29. 6. More on this fly or gnat-cultus is given in J. G. Müller in *PRE.* i. p. 769, who takes the Beelzebub at Ekron to be Myiodes, "who as sun and summer god must have stood in a similar relation to flies as the oracle god Apollo, who inflicted and delivered from sicknesses." On this connection it is further remarked by Stark, *ubi supra:* "These (the flies), determined in their appearing and disappearing by the changing character of the weather, seem themselves endowed with prophetic power." The warding off of flies is only a part of this god's activity, which was afterwards especially maintained when animal worship was understood only according to the harm or benefit done by the animals.—Thus Hengstenberg's difficulty is set aside, which he has raised in *Beitr.* ii. p. 25 f., against the "fly-lord, a Walter von Habenichts" [penniless laird], etc., so that with Scaliger, Grotius, etc., he would explain the word as a nickname formed from בַּעַל זְבוּל, lord of the (heavenly) dwelling. The later Jews were the first who formed from Beelzebub the name Βεελζεβούλ (for this is manifestly the original reading, instead of the older received reading Βεελζεβούβ in Matt. x. 25, xii. 24, 27; Mark iii. 22; Luke xi. 15, 18) for the ἄρχων τῶν δαιμονίων; accordingly, to express sarcastically their abomination of idols in the most emphatic way, they made out of בַּעַל זְבוּל a בַּעַל זֶבֶל, dirt-God. This explanation given by Lightfoot on Matt. xii. 24, Müller has also rightly defended against other interpretations.

(9) That Baal-Peor is the same as Chemosh, is already asserted by Jerome on Isa. xv. 2; and Hengstenberg also, *Psalmen*, iv. p. 180, has declared for this view. In itself it is extremely improbable that the Moabites should have worshipped two chief deities who stood in no inward connection. There is no instance of such a thing in any people of high antiquity. Besides, the oneness of the two gods or names of gods would not have been mistaken by so many, had a leading ground against their identity not been found in the alleged priapian nature of Baal-Peor. Only the priapus nature of Baal-Peor is —as Jo. Selden, *de Diis Syr.* i. c. 5, p. 83 sqq., already well showed—a fable of the Rabbins, who derived it from Num. xxv. 1 ff., and then sought to establish it by an obscene interpretation of the word פְּעוֹר. Philo knows nothing of it; Origen and Jerome are the first to give it from their Jewish teachers. It is more fully developed by pseudo-Jonathan on Num. xxv. 1, and the Rabbins of the Middle Ages. "*Ego*"—says Selden,

p. 88 sqq.—" *Priapum* haud magis eundem cum *Phegorio* fuisse, quam cum alio quovis Divûm Asiaticorum, autumo. Fœdæ enim illæ libidines, quæ in historia Moabitidarum recensentur, et vindicta veri Dei puniuntur, non minus sunt a Phegorii cultu alienæ, quam Salomonis stupra a ritu Sidoniorum. Ob amorem enim Sidoniarum, quas deperibat ille, Sidoniorum Deos venerabatur. *Et cœpit, populus*, uti verba sunt Mosis, *fornicari cum filiabus Moab, quæ et vocaverunt populum ad sacrificia Deorum suorum; comeditque populus et adoravit Deos illarum. Et junctus est Israel Baal Peor concitatusque est furor Domini contra Israel.* Moabitides amasios suos, ut Deos patrios colerent, libidine pellexerunt; ita Sidoniæ Salomonem, ita aliæ uti fit alios. Libidinem in sacris Phegorii fuisse, non omnino constat, nec ex Oseæ (ix. 10) verbis, qui obscœnos mores ad populum non ad Phegorium refert, elici potest. Neque vero Idolorum cultum in veteri instrumento sub stupri et libidinis vocibus sæpissime intelligi quis nescit. Stercore autem cultum eum et patente podice, quod ajunt Rabbini, fuisse, constanter nego. Liræ, liræ sunt illud Rabbinicæ et gerræ germanæ." This Rabbinical interpretation of the name is also rejected, Gesenius, *Thes.* ii. 1119: "quod פער a tali usu alienum est;" and he derives the cognomen פְּעוֹר from the Mount Peor of which Selden thought, and for which Movers (pp. 175 and 668) and Hengstenberg, *ubi supra*, have decided.

(10) That *Milcom*, too, is to be reckoned to the Baals, is established on two grounds. First, from Zeph. i. 5, where מַלְכָּם is used of the Baals; for if the word here also is to be taken appellatively, and not to be understood of Milcom specially, yet this use proves that Baal was conceived as מֶלֶךְ. Next, from the form מֹלֶךְ for מַלְכָּם, 1 Kings xi. 7, and from the passages, Lev. xviii. 21, Deut. xviii. 9 ff., where Moloch is designated as an idol of the Canaanites.

2. Side by side with Baal, as female chief deity of the Canaanites, stands Astarte (עַשְׁתֹּרֶת, *Ἀστάρτη*), or Asherah (אֲשֵׁרָה) (11), at first only the deity seen in the pure moonlight and its influence on life on the earth, and worshipped as the conceiving and birth-giving principle in nature, but combined from primæval times with the planet Venus as morning and evening star, and worshipped as goddess of love, as Aphrodite, with voluptuous sensuality (12). In the Old Testament there is special mention of the *Sidonian Astarte* (עַשְׁתֹּרֶת), the race and guardian goddess of the Sidonians or Phœnicians of the older time. Solomon in his old age trans-

planted her cultus to Jerusalem (1 Kings xi. 5, 33; 2 Kings xxiii. 13); as moon-goddess of the Greeks and Romans, she was named *Οὐρανία, Σεληναίη, Juno, virgo cœlestis.* This Astarte is identical at once with the *Asherah* to whom Ahab built a temple in Samaria (1 Kings xvi. 33), where she was served by 400 priests (1 Kings xviii. 19), and with the *Queen of Heaven*, whom the Jews worshipped with drink-offerings, and cakes baked for her by the women (13), and with incense (Jer. viii. 18, xliv. 17–19). She was represented either with an ox-head and horns (sickles) (14), or with the head of a woman surrounded by the crescent moon (15).—Besides this, there are traces of the voluptuous cultus of this goddess regarded as Venus, and identified with *Ἀφροδίτη* so early as in the images of the Asherah (16) mentioned 1 Kings xv. 13; 2 Chron. xv. 16; and 2 Kings xxi. 7, xxiii. 7.—From these Asherah figures are to be distinguished the Canaanitish *Asherim* (אֲשֵׁרִים), which are frequently named beside altars and monumental stones (Mazzeboth) of Baal (Ex. xxxiv. 13; Deut. vii. 5, xii. 3; 1 Kings xiv. 23; 2 Kings xvii. 10, etc.), and which were not statues, but simple symbolical representations of the goddess, made of wood, commonly of a trunk planted in the earth without roots, but with branches, twigs, and top (17).

(11) Astarte is called on Assyrian monuments *Istar*, and on Himjar monuments *Athtar.* Comp. Schrader, *Die Keilinschriften u. d. A. Test.* (1872), p. 83 f., and Schlottmann, "Astarte u. Aschera," in Riehm's *Handwörterb.* i. p. 111 ff. The name עַשְׁתֹּרֶת, which only occurs of the Sidonian goddess (1 Kings xi. 5, 53, and 2 Kings xxiii. 13), is not to be derived, with Gesen. *thes.* p. 1083; Movers, *ubi supra*, p. 606, and many others, from the Zend *stare* or *actar*, i.e. *star*, but is Semite, from the root עשׁר with ת inserted; but the radical meaning is not yet made out with certainty. See the various explanations of עשׁתרת and אשׁרה in W. Guil. Graf de Baudissin, *Jahve et Moloch, sive de ratione inter deum Israelitarum et Molochum intercedente. Dissert.*, Lips. 1874, p. 24 f., note. The plural עַשְׁתָּרוֹת occurs only Judg. ii. 13, x. 6, 1 Sam. vii. 3, 4, and xii. 10, and denotes the various local conceptions of the goddess; also in the name of the city Ashteroth-Karnaim (Gen. xiv. 5), and in Judg. ii. 13 and 1 Sam. xxxi. 10, where Schlottmann insists on taking it in an abstract sense; not her images. From the comparison of

Judg. ii. 13 with iii. 7, the name is plainly identical with אֲשֵׁרוֹת. This plural form is found, besides, only in 2 Chron. xix. 3 and xxxiii. 3; otherwise it is always אֲשֵׁרִים, which denotes partly the goddess in her various modifications, but mostly her Canaanitish idols.—The supposition of Movers, p. 560 ff., that the Sidonian Astarte was wholly different from the Canaanite Asherah, and that only in later times were they confounded with one another, is untenable. Comp. on the contrary, Winer, *R. W.* i. p. 94 f., and Bertheau, *On Judges*, p. 66 f.

(12) The proofs for this are given by Gesen. *thes.* p. 1082; Winer, *R. W.* i. p. 108 f.; Movers, p. 601 ff.; and Schlottmann, *ubi supra.*

(13) The image of the goddess seems to have been impressed on these cakes (כַּוָּנִים); comp. לְהַעֲצִבָה, Jer. xliv. 19.

(14) According to Sanchuniathon in Eusebius, *præp. evang.* i. 10, p. 45, ed. Heinichen: Ἡ δὲ Ἀστάρτη ἐπέθηκε τῇ ἰδίᾳ κεφαλῇ βασιλείας παράσημον κεφαλὴν ταύρου· περινοστοῦσα δὲ τὴν οἰκουμένην, εὗρεν ἀεροπετῆ ἀστέρα, ὃν καὶ ἀνελομένη, ἐν Τύρῳ τῇ ἁγίᾳ νήσῳ ἀφιέρωσε. Τὴν δὲ Ἀστάρτην Φοίνικες τὴν Ἀφροδίτην εἶναι λέγουσι.

(15) She is represented with a woman's head and crescent on coins, in Eckhel, *doctr. num.* I. iii. 365 sq. Comp. Winer, *R. W.* i. p. 109.—She was also worshipped by the Philistines, and had a temple in which they deposited Saul's armour (1 Sam. xxxi. 10), while they brought his head into the house of Dagon. This temple is perhaps that oldest sanctuary mentioned by Herodotus (i. 105) as sacred to Ἀφροδίτη Οὐρανίη at Askelon. To this goddess belonged the crescent, spear, and dove, which are found on coins of Askelon belonging to the time of the Cæsars. Comp. Stark, *Gaza*, p. 258 f.

(16) But this sensual cultus seems especially to have prevailed among the Moabites, as appears from the clay figures recently found in the land of Moab, one of which, *e.g.*, represents this goddess in obscene nakedness and of a repulsively coarse obesity. Comp. the illustration in *Ztschr. d. DMG.* xxvi. p. 786 ff., and the more decent form from a drawing of Duisberg's in Riehm's *Handwörterb.* i. p. 113, where also for comparison there are appended the image of the corresponding type of the Assyrian Baaltis or Beltis according to Layard, and two figures of the Assyrian Istar, *i.e.* the earnest, severe figure of Astarte, whom the Greeks regarded as Hera, Artemis, and Athene. Comp. Gelzer, "Zum cultus der Assyrischen Aphrodite," in *Zeitschr. für ægyptische Sprache*, 13 Jahrg. (1875) pp. 128–134.

(17) That the Asherim were always of wood, appears clearly from the expressions which are used regarding their renewal and destruction. "The Asherim are cut down כרת, and then

burned with fire, Deut. xii. 3; Judg. vi. 25, 26, 28, 30; 2 Kings xv. 13; 2 Chron. xv. 16; 2 Kings xxiii. 6, 15, 24; in other places there is no mention of burning, but either כרת is used, 2 Kings xviii. 4, Ex. xxxiv. 13, which is the common expression for felling of trees (Isa. xiv. 8; Jer. xxii. 7, xlvi. 23; Judg. ix. 48; 1 Kings v. 10; 2 Kings xix. 23, etc.) with a hatchet or axe (Deut. xix. 5; Jer. x. 3), or גדע, Deut. vii. 5, 2 Chron. xxxi. 1, xxxii. 4, which is quite the same as כרת (comp. Isa. ix. 9, x. 33). How exactly the biblical writers express themselves in this connection appears very distinctly from the fact, that to denote the destruction of the Baal-pillars מצבות, which were of stone, they never use כרת or גדע, but שׁבר, to break, smash, Ex. xxiii. 24; Deut. vii. 5, xii. 3; 2 Kings xviii. 4, xxiii. 14; 2 Chron. xxxi. 1; Jer. xliii. 13; once נתץ, to lay in ruins, 2 Kings x. 26; and, on the other hand, never שׁבר or נתץ, when they speak of the destruction of the Asherim." Movers, p. 567. This author accordingly conceives of the Asherah as "a conspicuous pillar of wood, or the straight trunk of a tree with its branches and top cut off, and which was planted on the heights or other idolatrous places of worship belonging to the ancient Israelites" (p. 568), commonly beside an idol or an altar of Baal.—Schlottmann's view, given in the text, appears more correct. Movers is certainly mistaken in further supposing that the Asherah was sometimes also a green tree or grove, or even a Phallus. For though the LXX. and Vulgate frequently translate the word by ἄλσος, *lucus, nemus* (see the passages in Müller in *PRE.* i. p. 565), this meaning cannot be proved from the O. T., and is only inferred by the Rabbins from an incorrect explanation of a few passages. From Deut. xvi. 21 the meanings green tree or grove cannot be established (see my comment. on the passage), and are wholly irreconcilable with places like 1 Kings xiv. 23; 2 Kings xvii. 10; comp. Deut. xii. 2; Jer. xvii. 2, where the idolaters built, set up Asherim, as they did stone pillars, "under every green tree." Finally, the meaning Phallus is only deduced from 1 Kings xv. 13.

3. To Baal-worship in its later peculiarly modified forms belongs also the worship of *Tammuz* (תַּמּוּז), *i.e.* the Phœnician *Adonis*, which had its chief seat at Byblus. Hence this cultus spread with its richly developed cycle of legends to Cyprus and Greece, and was in the last times of the kingdom of Judah transplanted to Jerusalem. For here the prophet Ezekiel is shown in a vision (viii. 14), in a room of the inner temple court, women "who sat weeping for Tammuz." The name Tammuz denotes the decay of nature's powers (18)

developed in the Greek legend of Adonis to an *ἀφανισμὸς Ἀδώνιδος*; and *Adonis* is the self-producing life of nature, in its regular alternations of decrease and increase, dying and reviving. Among the Phœnicians the Adonis festival was partly one of mourning, at which the women gave themselves up to the wildest lamentations over the lost Adonis, partly a feast of gladness, the *εὕρεσις Ἀδώνιδος*, days of banqueting and mirth. But whether the Jews adopted the whole Adonis myth, or only kept the feast of lamentation, cannot be decided (19).

(18) Comp. Hävernick, *Comm. z. Ezech.* p. 111 f., and Roediger, *ad Gesen.* p. 1507.

(19) The identity of *Tammuz* with *Adonis* is attested by Jerome, in a passage quoted in my commentary on Ezekiel viii. 14.—On the other hand, the myth of Tammuz, mentioned by Chwolson, *Ueber Tammuz und Menschenverehrung bei den alten Babyloniern*, St. Petersb. 1860 (comp. Ssabier, ii. pp. 27, 202 ff., and *Ueberreste der altbabylon. Literatur*, St. Petersb. 1859, p. 101), as a man deified after his death, is nothing else than an explanation, on the principles of Euhemerus, of the very ancient nature-cultus, spread over the whole of Western Asia, in which the influence of the sun on the vegetation of the year was celebrated. Comp. Fel. Liebrecht, "Tammuz-Adonis," in the *Ztschr. der DMG.* xvii. p. 397 ff., and J. G. Müller, "Thammuz," in *PRE.* xv. p. 667 ff.

4. Not connected with the Baals and Astartes are the Philistine fish-gods *Dagon* and *Atergatis*, which are both represented as having the body or trunk of a fish with a human head and hands. *Dagon* (דָּגוֹן, from דָּג, fish, *Δαγών*) had temples, priests, feasts, and images, especially in Gaza and Ashdod (Judg. xvi. 23 ff.; 1 Sam. v. 1 ff.; 1 Macc. x. 83, xi. 4). As a male deity he is the symbol of water, and so of all those vivifying natural powers which take effect in warm countries mainly through water (20).—Of the female fish goddess *Atergatis*, only the temple *Ἀτεργατεῖον* at Karnaim, 2 Macc. xii. 26, is mentioned in Scripture. She is one with the Syrian Derceto, *Δερκετώ*, in whom the fructifying power of water as well as the absorption of fluid by the earth are mythically and mythologically deified (21).

(20) Comp. besides Selden, *de Diis syr.* ii. c. 3, especially Movers, p. 143 ff.; Stark, *Gaza*, p. 248 ff., and Müller in *PRE.* iii. p. 255 f.; and for the proof of the worship of Dagon also in Assyria and Babylonia, under the name *Da-kan* (Assyr.) and *Da-gan* (Babyl.) in inscriptions, see Schrader, *Keilinschriften u. d. A. Test.* p. 85 f., and *Ztschr. d. DMG.* xxvii. p. 404. A representation of the fish-god see in Layard, *Nineveh and its Remains*, ii. 466. On the contrary, according to Friedr. Delitzsch (in the *Calwer Bibellexicon*, p. 134), the Philistine god Dagon is of Babylonian origin, the Babylonian-Assyrian Dagon, however, having no connection with a fish, and the name of the god being non-Semitic, and to be traced back to the still older non-Semitic form *Da-gon-na* (with a meaning still uncertain). Diestel's view (*Jahrbb. f. d. Theol.* v. p. 726), that Dagon is the god of agriculture, is untenable.

(21) Comp. Movers, p. 384 ff.; Stark, *Gaza*, p. 250 ff.; and Schlottmann in Riehm's *Handwörterb.* i. p. 116.

II. The transition from the worship of Canaanite idols to the gods of the *Assyrians* and *Babylonians* appears—

1. In the *Moloch*-worship of the Israelites, the origin and original meaning of which are still buried in obscurity (22). Moses in the law (Lev. xviii. 21, xx. 2; Deut. xviii. 10) already forbids the Israelites to devote their children to Moloch, and thus probably presupposes Moloch-worship among the Canaanites. But from the time of Joshua to the beginning of the reign of Ahaz we find no trace of it among the Israelites and Canaanites; neither the name *Moloch* nor offering of children is mentioned, whereas from the time of Ahaz downwards this horrible cultus is frequently condemned as the worst of abominations. To the Ammonite god related, if not identical with Moloch, viz. *Chemosh*, to whom Solomon built an altar eastwards from Jerusalem (1 Kings xi. 7, 33), there were no children offered (*i.e.* slaughtered) on this altar (23). And the mention of sacrifices to Moloch in the kingdom of the ten tribes (2 Kings xvii. 17) relates no doubt to the latest times of this kingdom, when the invasions of the Assyrians had already begun. Moloch-worship is designated in the Old Testament by נָתַן מִזַּרְעוֹ לְהַעֲבִיר לַמֹּלֶךְ, Lev. xviii. 21, or more shortly נָתַן מִזַּרְעוֹ לְמֹלֶךְ, Lev. xx. 2, or הַעֲבִיר בְּנוֹ וּבִתּוֹ בָּאֵשׁ, Deut. xviii. 9. So, too, 2 Kings xvi. 3, xvii. 17, xxi. 6; 2 Chron. xxxiii. 6; Jer. xxxii. 35; Ezek. xx. 31, where undoubtedly a real offering (by killing

and burning) of children took place, as appears from the fact that not only does יִבְעַר, *burned* (2 Chron. xxviii. 3), stand instead of יַעֲבִיר, but also in Jer. vii. 31, xix. 5, where occurs שָׂרַף בָּאֵשׁ, to burn with fire, and Ezek. xvi. 20 f., xxiii. 37, the slaughtering of children as food for the idols is mentioned. But הַעֲבִיר לְמֹלֶךְ, to pass through, to give over to Moloch, and even הַעֲבִיר בָּאֵשׁ לְמֹלֶךְ, to pass through the fire to Moloch, does not necessarily denote a real offering (slaughtering); and before the time of Ahaz nothing is said of sacrificing children. And hence this cultus has been explained of a going or passing of the children through fire without killing them, and of an expiation or purifying of them by fire, whereby the children were devoted to Moloch—that is to say, as a sort of fire baptism which either preceded the offering, or—in later times—took place without any real offering thereafter (24). This view is certainly possible, but cannot be proved with certainty. For the non-mention of child-sacrifices in older times is counterbalanced by the fact, that in the interval between Moses and Ahaz not even is *Moloch-worship* mentioned. And הַעֲבִיר לְמֹלֶךְ is analogous to the הַעֲבִיר לַיהוָה (Ex. xiii. 12), as the giving over of the first-born to Jehovah is designated. This giving over was indeed not an actual offering of the children on the altar; but that only because the law at the same time prescribes the ransom for first-born sons (Ex. xiii. 13), while the first-born of clean animals were to be actually sacrificed. On this point we cannot have perfect certainty. What is undoubted is the fact, that before the time of Ahaz child-sacrifices did not occur, and the introduction of this idolatrous worship by Ahaz coincides with the appearance of the Assyrians in Palestine (25).

(22) Comp. J. G. Müller, "Moloch," in *PRE.* ix. p. 714 ff., and Gr. de Baudissin, *Jahve et Moloch*, p. 26 sqq. There is no doubt that Moloch (King) is synonymous with Baal, *lord*. Von Baud. alleges that Moloch and Baal were originally identical, and both sun-gods, uniting the productive and destructive principles of nature, as Bel did originally; but that these principles were afterwards divided between Baal and Moloch, and only combined again in the Tyrian Melkart and Hercules. But his grounds for this view are not conclusive, because it does not follow from the proof that Malik in Assyrian and Malk in Phœnician were names of deities, that these names are

of high antiquity, the proofs alleged all belonging to a comparatively late time. So much only is certain, that the Moloch whose cultus Ahaz introduced into Judah was identical with the Assyrian god *Adar*, and was seen and worshipped in the planet Saturn.

(23) The non-mention of child-sacrifices to Milcom is strengthened by the fact, that after the introduction of Moloch-worship the site dedicated to Milcom remained apart from the site of Moloch's service in the valley of the sons of Hinnom south of Jerusalem; comp. 2 Kings xxiii. 10, comp. with ver. 13. Only the Moabite King Mesha, when sorely pressed, offered his first-born son to the god Chemosh (2 Kings iii. 27), who was identical with Baal-Peor, and closely related to the Ammonite Milcom. But therefrom nothing can be inferred as to the worship of Moloch among the Canaanites. On the contrary, the impression made by this human sacrifice on the allied kings Jehoshaphat and Ahab (2 Kings iii. 27), shows that child-sacrifices were at that time abhorred in Judah and Israel as an unheard-of abomination.—Von Baud. (p. 39 f.) goes against history when he alleges that after Ahab, to please his Tyrian consort Jezebel, had again introduced the Tyrian Baal-worship into Israel, the people of Israel and Judah became accustomed to offer their sons and daughters to *this* Baal as Moloch.

(24) So again in our time, J. G. Müller, *ubi supra*, p. 717, following many Rabbins, Church Fathers, and the older theologians generally, down to Spencer and Witsius. He has collected many historical proofs of this widespread custom, and by no means denies the offering of human sacrifices, but only distinguishes the usages of the two worships, and is of opinion that at various times, and among different nations, various forms were customary.—As to the offering of children, the burning of them alive is not to be thought of. Nothing of the kind is mentioned by Eusebius in the principal passage of his *Præparatio evang.* iv. 16, where he reckons up the many human sacrifices of the ancients; but, on the contrary, he says that at Salamis these sacrifices were pierced by the priests in the belly (*κατὰ τοῦ στομάχου*) with a spear, and thereupon burned on the pile (p. 164, ed. Hein.); and he speaks repeatedly, besides, of their *σφαγή* and *ἀποσφάττειν* (p. 165 sqq.). While Diodor. Sic. xx. 14 also describes the brazen statue of Cronos with its outstretched Moloch arms made red-hot, he says nothing about the throwing of children alive into them. His words are: *ἦν δὲ παρ' αὐτοῖς* (the Carthaginians) *ἀνδριὰς Κρόνου χαλκοῦς, ἐκτεταμὼς τὰς χεῖρας ὑπτίας ἐγκεκλιμένας ἐπὶ τὴν γῆν, ὥστε τὸν ἐπιτεθέντα τῶν παίδων ἀποκυλίεσθαι καὶ πίπτειν εἴς τι χάσμα πλῆρες*

πυρός. Even the passages adduced by Münter (*Religion der Karthager*) from Klitarch and Photius may be perfectly well understood of the burning of children already killed. On the contrary, Raschi's description on Jer. vii. 31: "fuit Molech ex aere factus, quod ab inferiori ejus parte succendebatur; erant autem illius manus protensæ atque candentes, quibus infans imponebatur ipseque comburebatur atque gemebat: sacrificuli autem tympana pulsabant, ne pater clamorem filii sui audiret ejusque viscera commoverentur," supposes the burning of children alive. Similarly Plutarch, *Moral.*, says: "Round the statue of the god there is the loud noise of flutes and drums, that the shrieking and wailing may not be heard;" and Minucius Felix, *Octav.* xxx. 3, relates that the tears of the children were wiped away with kisses, "ne flebilis hostia immoletur."—Comp. also E. v. Lasaulx, *Die Sühnopfer der Griechen u. Römer* (Würzb. 1841), p. 11,—a rather uncritical collection of testimonies of the ancients regarding human sacrifice.—Following the Rabbinical accounts, Lundius, *jüd. Heiligt.* B. iii. c. 34, p. 564, has given a representation of the Moloch statue with the head of a bull.

(25) Without foundation is the derivation of the Moloch-cultus from the Persian fire-worship in Movers, pp. 63 f. and 333 ff.; comp. to the contrary, v. Baudiss. *l.c.* p. 49, and his explanation of the "passing through the fire" as a transition, "whereby the children, after the dissolution of the earthly unclean dross of the body, attained to union with the deity." On the contrary, Müller remarks, *ubi supra*, p. 718, with perfect right: "This mystic, pantheistic, moralizing notion of human sacrifices is not the ancient original one of genuine heathenism; it is as little that of Western Asia as of Mexico.—The sacrifices were rather given as food to the gods, and have no moral end, but are intended to propitiate the gods by costly presents, either in respect of past misfortunes or others feared in the future."—It is scarce worth mentioning the trivial view of Vatke, Daumer, Ghillany, etc., that the Hebrews from oldest times slaughtered children to the idol Moloch. Besides its refutation in Müller, p. 718, comp. the thoroughgoing proof of the radical difference between Jahve and Moloch in v. Baudiss. *ubi supra*, p. 54 ff.

2. Of Babylonian gods there are mentioned in the Old Testament: (*a*) *Bel* (בֵּל, akin in root to בַּעַל), the lord, the supreme deity of the Babylonians, as Baal among the Canaanite Phœnicians, not only according to the unanimous testimonies of the Bible (Isa. xlvi. 1; Jer. l. 2, li. 44) and of the classics (Herod. i. 181 ff.; Diod. Sic. ii. 9, etc.), but also

according to the monuments, on which he is named the Supreme, the father of the gods (*ziru, abu, ili*), the light of the gods (*nur ili*), the creator (*bânu*), the prince of the universe (*sur gimir*). Originally he was conceived of as god of heaven in general, though not as a being without beginning, but as the supramundane principle of the natural powers and forces, and only at a later time combined with the sun and worshipped as sun-god; for in the Assyrian and Babylonian lists of gods the first trias, to which Bel belongs, is separated from the deities of an astral character (26).—(*b*) *Merodach* (Jer. l. 2), written *Marduk* (*Maru-du-ku*) on the inscriptions, and praised as the great lord, the exalted commander, the god of heaven and earth; the god of the planet Jupiter (27).—(*c*) *Nebo* (Isa. xlvi. 1 and Jer. li. 44), pronounced in the Assyrian *Nabi-uv*, more shortly *Nabuu* (from נבא, to speak, to proclaim), the divine herald, and characterized by various epithets, such as the guide of the world and upholder of the divine government of the world, the god of knowledge, of science, and oaths, god of the art of writing, creator of writing on the clay tablets, the god of the planet Mercury, thus corresponding to the Hermes and Mercury of the Greeks and Romans (28).—(*d*) The gods of fortune, *Gad* and *Meni* (Isa. lxv. 11), who were worshipped with banquets (29).

(26) Comp. Schrader, "Baal and Bel," in the *Theol. Studien u. Krit.* 1874, p. 335 ff., and the Assyrian and Babylonian lists of gods there deciphered, as preserved on the clay tablets discovered in the library of King Assurbanipal about 650; also his *Keilinschriften u. das A. Test.* p. 80 ff.; Gr. v. Baudissin, *Jahve et Moloch*, p. 15 ff.; and Schlottmann in Riehm's *Hdwb.* i. p. 127.—Unfounded is the identification of Bel sometimes with the planet Saturn (Movers, Chwols.), again with the planet Jupiter (Gesen., Stuhr; comp. on the contrary, v. Baudiss. p. 20 f.); unfounded also is the supposition of Schrader, that because Bel does not stand at the head of the above-named lists, he is not identical with the Canaanite Baal, and not to be regarded as the supreme god; comp., on the contrary, Schlottmann, *ubi supra;* untenable also is the idea of a god Bel-Merodach, because only deduced from the fact that in the inscriptions (see Schrader, *Theol. Studien u. Kr.* 1874, p. 342) *Marduk*, *i.e.* Merodach *bilu rabu*, *i.e.* the great god, and later Greek authors, *e.g.* Damascius in Photius, Alex. Polyhistor,

according to Eupolemus in Eusebius, *præp. evang.* ix. 17, § 9, and several Fathers, distinguish a Βολάθην (*i.e.* בל איתן, Bel antiquus) from Bel, and identify the former with the Greek *Cronos*. Even the Harranians still distinguish Bel as sun-god from the planet-god Jupiter; for, according to Dimeschki, the sun-temple of the Harranians was quadrangular; so that of Belos (Herod. i. 181), but that of the planet Jupiter triangular (Chwols. *Ssabier*, ii. p. 170 f.). And "the passages which take Bel as Zeus tell rather against than for his identity with the planet; even Plutarch himself says (*quæst. Rom.* c. 77), that according to Greek views Zeus is the sun. Chwols. ii. 169. Epiphanius says (*adv. hær.* i. 16. 2) that the Jews called Jupiter Χώχεβ Βάαλ; in the Talmud this planet is called צדק, the righteous. The later Persians, indeed (after *Mashûdi*), and the Mendaites (Cad. Nazor. i. 212), called the planet *Bil*" (Diestel in *Jahrbb. f. d. Theol.* v. p. 730).—Thus fall to the ground at once the hypothesis that the Canaanite Baal originated from Bel (Schrader in *Theol. Stud.* 1874, p. 336; comp. on the contrary, v. Baudiss. p. 10), and the distinction of three gods called Bel: (1) Bel of the first triad in the Babylonian list of gods, from whom proceeded the Phœnician Baal; (2) Bel antiquus sive Adar, *i.e.* stella Saturni; (3) Bel junior sive Marduk, *i.e.* stella Jovis (see v. Baud. p. 23).

(27) Comp. Schrader, *Keilinschriften u. d. A. Test.* p. 276; and Fr. Delitzsch in the *Calwer Bibellexicon*, p. 578.

(28) Comp. Schrader, *Keilinschriften*, p. 292, and in *Jahrbb. f. prot. Theol.* i. 2, p. 338 ff.; and Friedr. Delitzsch, *ubi supra*, p. 627 f.

(29) Gad (גָּד), strictly, that which is allotted, destiny, generally in the sense of good fortune, and Meni (מְנִי) fate. Gad is not (according to Movers, Knobel) to be combined as sun-god with Baal and Meni as moon-deity with Asherah, but more probably (according to Gesen., etc.) Gad is to be connected with the planet Jupiter, and Meni with Venus. For the oldest Arabian races (according to Krehl, *Religion der vorislamit. Araber*, p. 41 ff.) worshipped Jupiter (Mustari) as the star of fortune, and applied to it the name: *Great Fortune*, traces of which are also to be found among the Sabæans (Chwols. ii. 387). In contrast thereto, Venus was called *Little Fortune*. Comp. Delitzsch on Isa. lxv. 11; and Carl Siegfried, "Gad-Meni," in the *Jahrbb. f. prot. Theol.* i. 2, p. 356 f.

3. Of the gods worshipped by the heathen colonists whom Esarhaddon transplanted to Samaria (2 Kings xvii. 30 f.), *Adrammelech* and *Anammelech*, the gods of the Sepharvites, are manifestly akin to Moloch, for they also were worshipped with

child-sacrifices. (*a*) *Adrammelech* corresponds to the man's name *Adar - malik*, "Adar the decider." The deity is commonly called more shortly *Adar*, and is represented under the figure of a winged bull with human head and man's face, and is therefore the Assyrian bull-god, the god of the planet Saturn, corresponding to the Saturn - Cronos-Hercules, designated on the inscriptions as possessor of might, warrior, god of slaughter, bearer of the bow, commander of fire (30). (*b*) *Anammelech*, corresponding to the Assyrian *Anu-malik*, "Anu the decider," and commonly called only *Anu*, one of the chief gods of the Babylonians, represented as a man clothed in fish skin rising upwards into a tiara. He is characterized by epithets such as the good god or lord, the founder of cities, the lord of the hosts of the earth; but he has nothing in common with the fish-man *Oannes* of *Berosus* in Euseb. *Chron. armen.* i. p. 20 ff. (31).—(*c*) *Nergal*, the god of the planet Mars, corresponding either to the Nerig of the Mandæans, called by the Arabs Merich or Mirrich; or the lion-god of the Assyrians, represented in the colossal lions at the entrance of the palaces (32).—(*d*) Regarding the other gods mentioned in 2 Kings xvii. 30 f., nothing certain has yet been made out. Regarding *Ashima*, 2 Kings xvii. 30, comp. Friedr. Delitzsch in *Calwer Bibellex.* p. 58.—Regarding *Sukkoth-Benoth*, whom the people of Babel made for themselves, it is supposed that she was the goddess *Zir - banith*, also *Zarbanith*, "the seed-giver," posterity-bestowing, so frequently named and worshipped among the Babylonians and appearing as wife of Merodach (33).—Regarding the *Nibchas* and Tarthak of the Avvites and the *Ashima* of the Hamathites, the Assyriologues have as yet no information to give us, as their names have not up till now been found on the cuneiform inscriptions (34).—(*e*) *Nisroch*, in whose temple at Nineveh Sennacherib was slain (2 Kings xix. 37; Isa. xxxvii. 38), is either the human figure with an eagle's or vulture's head frequently represented on the monuments, or, according to the Assyrian word *Nisruk*, "the uniter," the patron of marriage, or "the dispenser," "the good" (35).—(*f*) *Rimmon*, a chief deity of the Aramæans, with a temple in Damascus (2 Kings v. 18), is said to be written in Assyrian, *Ramman*, and to be the god of the weather, of air, of the atmosphere, of

thunder and lightning, represented with a trident in his hand, the symbol of the god of thunder (36).

(30) So Schrader in Riehm's *Hwb.* i. p. 29, with a figure of the god from Layard. On the contrary, it cannot be proved, as Friedr. Delitzsch (in the *Calwer Bibellex.* p. 17) seeks to do, that the god Adar was represented and worshipped under the image of a winged bull with human head and a man's face, and so under the figure of the well-known bull-colossus.

(31) Comp. Schrader, *ubi supra*, p. 61, with an engraving; to the contrary, Friedr. Delitzsch, *ubi supra*, p. 39.

(32) For the identification of Nergal with Nerich, Schrader pronounced in the *Theol. Studien u. Krit.* 1874, pp. 329 and 349, in the note; on the contrary, in the *Keilinschriften u. d. A. Test.* p. 166 f., comp. the Assyrian-Babylonian cuneiform inscriptions in *Ztschr. d. DMG.* xxvi. p. 128 f. Nergal is regarded as a lion-god, because Nirgal is interpreted in a syllabary by *Ilu-aria, i.e.* lion-god, and designated as god of the people of Cuthah. According to Friedr. Delitzsch, *ubi supra*, p. 633, we learn from a Cossæan-Babylonian glossary that Nergal is radically the same as Adar, the god of the all-devouring sun-heat; indeed, the lion is the symbol of the devouring sun-heat throughout the whole of Western Asia, and even as far as Greece; the sun is found in the zodiacal constellation of the lion during the dog-days.

(33) So Schrader in Schenkel's *Bibellex.* v. p. 429, in connection with which it is held that *Zrb* of the original text has been changed by mistake into *skt*, and that instead of בְּנוֹת we should read after the LXX. Βενιθ. According to Friedr. Delitzsch, *ubi supra*, p. 911, the name still remains in the meantime a puzzle. For the views of the older writers, see in Leyrer in *PRE.* xv. p. 253 ff.

(34) The Rabbinical statements (in Selden, *de Diis syr.* ii. c. 7 ss.; and Carpzov, *Appar.* f. 516 ss.), according to which Nibhaz was an idol in the form of a dog, Tarthak in the figure of an ass, and Ashima in the form of a shorn goat, are scarcely supported by historical tradition. Nevertheless among the idols discovered at Korsabad there is the human figure with the head of a cat (perhaps tiger) and the ears of a horse, and on a symbolically ornamented stone there is a representation of a temple, at the entrance of which a figure is to be seen of what seems to be a nursing bitch.

(35) Comp. the representation of the eagle-headed figure in Layard, *Nineveh and its Remains*, ii. p. 459. Also the name נִסְרֹךְ is derived from נֶשֶׁר, Assyr. *na-as-ru, eagle* (see Fried. Delitzsch, *Assyr. Studien*, i. p. 105), with the termination ךְ, like Arioch.

The other explanation derives the name from סָרַךְ, שָׂרַךְ. Comp Franz Delitzsch, comm. on Isa. xxxvii. 38, and Schrader, *d. Keilinschr. u. d. A. T.* p. 205 f. But both explanations are quite uncertain, for the name Nisroch has not yet been found on the monuments. T. Halévy supposes that *Nisroch* may be identical with the Assyrian god *Nusku*.

(36) Thus Rimmon-Ramman would be formed from רָעַן, thunderer, by rejection of the ע and doubling of the מ. Comp. Schrader, *Jahrbb. f. prot. Theol.* i. 2, p. 334 ff.; and Friedr. Delitzsch in the *Calwer Bibellex.* p. 765.

III. In the wake of idolatry there always appear *soothsaying, oracles,* and *sorcery,* as with the religion of revelation there are connected prediction, prophecy, and miracles of the living God. Though those false arts were strictly forbidden to the Israelites in the law (Ex. xxii. 17; Lev. xix. 26, 31, xx. 6, 27; Deut. xviii. 10 ff.), yet they were greatly practised by them in the times of their idolatry (1 Sam. xxviii. 3, 9; 2 Kings xxi. 6, xxiii. 24; Isa. viii. 19; Micah iii. 11; Jer. xxix. 8; Zech. x. 2, etc.).—As chief forms there are mentioned, (*a*) *necromancy,* practised by the אוֹבוֹת, LXX. *ἐγγαστρίμυθοι,* who pretended to call up the dead by magical spells, and—perhaps imitating their voices by ventriloquism—made them speak (1 Sam. xxviii. 3 ff.; Isa. viii. 7, xix. 4); (*b*) *snake-charming* (לָחַשׁ and חֹבֵר חֲבָרִים, Ps. lviii. 6; Jer. viii. 17) (37); (*c*) the מְעוֹנֵן or עוֹנֵן (Deut. xviii. 10; Micah v. 11; Isa. ii. 6, etc.), who either predicted by the clouds or bewitched with the eye; (*d*) *soothsaying,* from the falling of *staves,* set erect or thrown (*ῥαβδομαντεία,* Hos. iv. 12), and from the *entrails* of victims (*extispicium,* Ezek. xxi. 26); (*e*) *dream* and *star interpreting,* and other kinds of prognostication (38).

(37) The notices regarding the sorcery so widely spread throughout antiquity, but especially in Egypt, are collected by Bochart, *Hieroz.* iii. p. 161 sqq., ed. Rosenm.; and Hengstenberg, *die BB. Mos. u. Ægypten,* p. 97 ff.

(38) For more on this subject, see in Winer, *R. W.*, under the articles: "Todtenbeschwörer," "Wahrsager u. Zauberei." Therewith comp. Delitzsch, *System der bibl. Psychologie,* iv. § 17: "Aberglaube und Zauberei" (p. 306 ff. d. 2 A. [Eng. tr. iv. § 17, p. 360 ff.]).

Idolatry, with such evils in its train, spread fearfully in the last times of the kingdom of Judah, until it brought down on

the people the punishment of dispersion among the heathen which Moses had already denounced as the chastisement of the people for their persistent apostasy from the living God to idols. But when this punishment overtook them in the Babylonian exile, it bore this wholesome fruit—that the Jews in exile wholly gave up gross idolatry; and after their return to their own land, so far were they from showing any inclination to it, that the attempt of Antiochus Epiphanes to introduce heathen idolatry into Jerusalem and Judea was utterly baffled by the resistance of the Jews in their loyalty to the law.

111814

III.

BIBLICAL ARCHÆOLOGY.

PART II.—SOCIAL RELATIONS OF THE ISRAELITES.

—o—

§ 92. *Introductory.*

THE social relations of the Israelites bear in general the character of Oriental, and more particularly of Semitic life. The great simplicity and immobility of the ancient East were modified by the eager nature of the Semites, so as to produce a quietly progressive development of the various relations of life, which is essentially distinct from the restlessness and changeableness of the West, and of modern times. This racial characteristic of the Semites forms the natural ground in which the kingdom of God was planted in Israel. By its being exalted to be the people of God, Israel was brought into so inward and living a relation to God the Lord, that the spirit which gave law and direction to its religious life could not fail to exercise a hallowing influence on the unfolding and training of the natural sides of its entire life. This it did, partly by removing *those* elements in the natural customs and hereditary institutions of the people which were incompatible with the part it had to play in the history of the world, or were at least in the way of its reaching its God-appointed goal; partly by strengthening, cherishing, and ennobling *those* germs of the national spirit and life which were capable of being purified and transformed into the spiritual nature of God's kingdom in its temporary manifestation and national form. Thus only could the chosen people be prepared to serve the end of its divine calling.

FIRST DIVISION.

THE DOMESTIC RELATIONS OF THE ISRAELITES.

§ 93. *General Character.*

As the word *house* (בַּיִת) denotes at once the dwelling-place of a community of men, and the family inhabiting a common house, two things fall to be considered in the household life of men,—its outward form and appearance, and its internal contents and spiritual essence. *Externally* it is established and formed by a common dwelling and conjoint procuring of the nourishment and clothing needed to preserve and cherish life; *internally* it is organized and takes its peculiar form from that closely compacted living and working together of human beings of different sexes, ages, and occupations, which flows from marriage, whereby alone the race can fulfil the end of its earthly being, maintain life on its bodily and spiritual sides amid all the relations and changes of this lower world, and rightly enjoy it as a precious gift of God.

The external side of domestic life is determined in its special form, first and pre-eminently by the situation and quality of the soil which a people inhabits. On this side the domestic life of the Israelites was not essentially distinguished from the domestic arrangements and habits of all the ancient peoples of Western Asia, though the Mosaic law laid down precepts regarding dwellings, food, and clothing which were intended to remind the covenant people constantly of its holy calling. Greater and more penetrating was the influence which the Mosaic religion exercised on the development of the inner side of domestic life. This it did by seeking to purify marriage as a divine institution from all sinful corruptions, and to restore and maintain the original divine ordinance as the firm basis of all civil society. Hereby there was impressed on the life of the Israelites an altogether peculiar character, distinguishing it from all the surrounding peoples of heathendom.

FIRST SECTION.

DWELLINGS AND NOURISHMENT.

FIRST CHAPTER.

THE DWELLINGS OF THE ISRAELITES.

§ 94. *Various Kinds of Dwellings.*

Human dwellings have varied from the first down to the present day — caves, booths, tents, houses, and palaces — according to the character of the country, mode of living, and occupation, as well as the degree of culture. The beginnings of house-building are lost in the darkness of primæval times, and reach back to the beginnings of agriculture, which was followed by Cain (Gen. iv. 2), and which demands fixed dwellings, so that Cain with his son Enoch built a city (Gen. iv. 17) (1).—The use of *caves* as dwellings depends more on the peculiar character of the ground and climate than on the rudeness and want of culture of the inhabitants. Even of the wild, uncivilised races, those only dwell in caves whose country is rich in natural and roomy dry caves, and whose climate forces them to seek a cooling shelter from the heat. But in such regions, with advancing culture, the natural caves are enlarged and worked into commodious and even artistic dwelling-places (2). Such cave-dwellers (troglodytes) were the Horites, the earlier inhabitants of Idumea (Gen. xiv. 6; Deut. ii. 12). On the other hand, the numerous and sometimes very roomy caves in the chalk and limestone rocks of Palestine were used by the Israelites only in time of war as places of refuge and strongholds; or they served robbers as hiding-places, travellers as resting-places, shepherds who were feeding their flocks in the open air, and country people in harvest time, as temporary abodes; and, finally, hermits also as permanent dwellings (3). Dwelling in *booths* (סֻכּוֹת) and *tents* (אֹהָלִים) belongs to nomad life, the origin of which is traced back (Gen. iv. 20) to Jabal. While nomads (יֹשְׁבֵי אֹהֶל, Gen. iv. 20, *σκηνίται*) put up tents for themselves and their

families, they erected booths to protect their flocks from storm and tempest; so Jacob (Gen. xxxiii. 17). Booths made of brushwood, leafy boughs and branches, serve human beings only for temporary residence as a protection from rain, frost, and heat (Lev. xxiii. 43; Jonah iv. 5). The patriarchs of the Israelites, whose fathers and kindred already possessed fixed houses in Mesopotamia, dwelt in tents because they lived in Canaan only as pilgrims. These tents, in material, form, and furniture, no doubt resembled the tents of the present Bedouins; they consisted sometimes of plaited mats, but generally of cloth coverings, either coarser, woven of goat hair, or finer, woven from yarn, which were hung and stretched out over one or more stakes and fastened to the ground with tent-pins. They varied in form, sometimes round, sometimes oval, now larger, now smaller. The interior of the tent was usually divided by a curtain into two rooms or chambers, and the innermost (חֶדֶר) was the allotted residence of the women and little children (4).—As indispensable pieces of furniture, there belong to a tent a carpet, some cushions for sitting or lying, a low table, which is sometimes replaced by a round skin, some eating and cooking utensils, and a lamp, which lights the dark interior.—When several tents are put up in a circle round that of the chief (scheik, emir), they form a tent-village, טִירָה (Gen. xxv. 16) (5).

(1) "That at so early a time a city should arise, need not surprise us: the origin of fixed dwellings and buildings is lost in the legends of all peoples in immemorial mythical times; besides, when this Cainite city arose, centuries may already have elapsed since the origin of the human race, and — עִיר is, in contrast to shepherds' tents, standing for a little beside one another and then moving elsewhere, nothing more, in the first instance, than an enclosed place with immovable dwellings." Delitzsch, *Genesis*, p. 172, 4th ed.

(2) Comp. K. v. Raumer, *Palästina*, p. 77 f., 4th ed.; and Wetstein, *Reisebericht über Hauran u. die Trachonen* (Berlin 1860), p. 44 f.

(3) Proofs for this see in Winer's *R.W.*, art. "Höhlen."

(4) The larger tents of the well-to-do are divided into three rooms, the first of which, at the entrance, in the case of common people, is reserved for the young and tender of the flock or herd, the second for men, the third or innermost for women. More on the subject in Winer, *R.W.*, art. "Zelte."

(5) טִירָה, *tent-camp, i.e.* a circular complex of tents, round which, and embracing a wide space, there was raised a high well-built stone wall, for protection against robbers and wild beasts. Comp. Palmer, *The Desert of Exodus* (Camb. 1871), p. 320 f.

§ 95. *Building and Furniture of Houses.*

The material for house-building is determined, partly by what is to be had in the locality, partly by the object of the buildings and the means of the builders. The simple houses of the Israelites were probably such as they still are in Palestine, mostly erected with walls made of bricks (לְבֵנִים) burned or merely dried in the sun, or of lime and sandstone; and only the houses of the rich and palaces were built of hewn stone (גָּזִית, 1 Kings vii. 9; Isa. ix. 9), many even of white marble (שַׁיִשׁ, שֵׁשׁ, 1 Chron. xxix. 2); clay (חֹמֶר) or lime (נִיר) or gypsum (שִׂיד, Isa. xxxiii. 12; comp. Deut. xxvii. 4), and now and then, perhaps, also asphalte (חֵמָר, as at the building of Babel, Gen. xi. 3), being used as mortar or cement (מֹלֶט). The walls were whitewashed outside and inside with a coating (טָפֵל, *κονία*) of lime or gypsum, palaces with bright-coloured vermilion (Jer. xxii. 14). The beams, with doorposts, doors, windows, and stairs, were commonly of sycamore (Isa. ix. 9); in ornamental buildings, of olive, cypress, cedar, and sandal (1 Kings vii. 2; Jer. xxii. 14). Private houses had, as a rule, only one storey, with a chamber, however, on the flat roof (upper room, עֲלִיָּה, *ὑπερῶον*), which served partly as a retiring room for rest or meditation in time of mourning (2 Sam. xix. 1; Judith viii. 15), for private conversation (Judg. iii. 20), for prayer (2 Kings xxiii. 12; Dan. vi. 11; Tob. iii. 12; Acts i. 13, xx. 8), and in summer also for cooling (Judg. iii. 20). It was used partly as a room for guests, sleeping, sickness, and laying out the dead (1 Kings xvii. 19; 2 Kings iv. 10; Acts ix. 37, 39). Generally it had two outlets, the one leading to the lower rooms of the house, the other by a stair directly to the street.

Only large palaces, it would appear, were built of more storeys than one, at least in earlier times (1). The flat roof was laid with tiles and stone, and the outer edge was to be provided, according to Deut. xxii. 8, with a breast-work (מַעֲקֶה) or lattice-like railing, to prevent falling.

The houses of men of rank, and palaces, were usually built in a square, which enclosed the court (חָצֵר). This roomy space, surrounded with porticoes and galleries, paved, provided with well (2 Sam. xvii. 18) and baths (2 Sam. xi. 2), probably also planted with trees, formed the reception room of the house. The entrance by the outer gate (שַׁעַר), at which stood a porter or porteress (ὁ or ἡ θυρωρός, John xviii. 16; Acts xii. 13; 2 Sam. iv. 6, LXX.), led first into the outer court (חָצֵר, Jer. xxxii. 2; προαύλιον, Mark xiv. 68; πυλών, Luke xvi. 20), which served as an ante-chamber. From this there was access by steps (מַכְלוֹת, 2 Chron. ix. 11) or winding stairs (לוּלִים, 1 Kings vi. 8) to the roof and upper chamber, as well as by a door into the court (αὐλή), and from this again to the lower rooms of the house. Like the court, the flat roof was a favourite place for family recreation, social entertainments, and domestic occupations. — As to the construction of the interior, the doors were low, and only in larger buildings were there lofty folding-doors (דַּלְתַיִם), moving on hinges (צִיר, Prov. xxvi. 14) in sockets (פְּתוֹת, 1 Kings vii. 50). They were closed with a bolt inside (מַנְעֻל, Deut. xxxiii. 25; מַנְעוּל, Neh. iii. 3; Song of Sol. v. 5), which could be inserted or withdrawn with a key (מַפְתֵּחַ) from without. The lintels of the doors (מְזוּזוֹת) were, according to Deut. vi. 9, inscribed with Bible texts.—The windows (חַלּוֹן) without glass panes, consisting only of lattice-work (אֲרֻבָּה, אֶשְׁנָב), opened partly on the street (Judg. v. 28; Prov. vii. 6; Dan. vi. 11), partly on the court (2).—The inner walls of the rooms, in the houses of the rich and princes, were wainscoted with woodwork and artistic carving (1 Kings vii. 7; Jer. xxii. 14; Hag. i. 4), now and then inlaid with ivory (1 Kings xxii. 39; Amos iii. 5; comp. Ps. xlv. 9); the floor was laid with gypsum or tiles and mosaics. The innermost rooms formed the women's apartments (בֵּית נָשִׁים, γυναικεῖον), and the houses of men of rank had special summer and winter rooms (בית הקיץ and בית החרף, Amos iii. 15; Jer. xxxvi. 22). The latter were heated by means of a stove (אָח), which no house was without, and which stood in the middle of the room in a cavity made in the floor. As soon as the fire burned out, the heat was preserved by putting a frame with a cover over it, and laying a carpet above (3).

(1) So the palace of Solomon, the so-called house of Lebanon, 1 Kings vii. 2 ff.; the three-storeyed side chambers of Solomon's temple, 1 Kings vi. 5 ff. There is no other mention in the Old and New Testament of any house in Palestine with more than one storey, for Acts xx. 9 is speaking of Troas.

(2) In the modern East generally only into the court; comp. G. H. v. Schubert, *Reise in das Morgenl.* iii. p. 291.

(3) The architecture of houses is fully treated in Faber's *Archäol. der Hebr.* i. p. 404 ff., with which comp. Winer, *R. W.*, art. "Häuser;" and Kamphausen, art. "Haus," in Riehm's *Hwb.*

For the furnishing of an apartment, the Israelites held the following articles indispensable: a bed (מִטָּה), a table (שֻׁלְחָן), a seat (כִּסֵּא), and candlestick (2 Kings iv. 9), the lamp of which was kept lighted, as it would appear, the whole night through. To these were added, for the complete furnishing of a house, the necessary cooking, eating, and drinking vessels (comp. § 99 f.), a handmill, and other tools and utensils. In the houses of the rich and well-to-do, these articles were not only provided in great abundance, but were also costly and luxurious. The rooms were furnished with cushions and couches (עֶרֶשׂ, sofa or divan), which served also as beds, and were covered with costly carpets (Prov. vii. 16) and soft pillows (כְּסָתוֹת, Ezek. xiii. 18, 20). Even the bedsteads were inlaid with ivory (Amos vi. 4); the tables and stools, which were much more in use among the Israelites than in the modern East (2 Kings iv. 10; Prov. ix. 14) (4), were artistically wrought; the vessels for eating and drinking were of gold and silver in manifold forms; and for the preservation of these, as well as of robes and dresses and other ornaments, we may be sure that the needful wardrobes and chests were not wanting.

(4) With this comfortable style of furnishing they had become familiar in Egypt. For the ancient Egyptians had a great variety of seats, from the simplest three-legged work and camp stools with leather bottoms, to the most artistic arm and easy chairs inlaid with ivory and covered with magnificent stuffs, as appears from the plates in Sir J. Gardner Wilkinson, *Manners and Customs of the Ancient Egyptians*, vol. ii. pp. 191–198, 3rd ed.—The couches of distinguished Israelites may have resembled the Egyptian ottomans, represented pp. 199–201, and the tables, the engravings, p. 203. Comp. the

representations of an Egyptian bed-frame and of an old Egyptian couch in Riehm's *Hwb.* i. p. 186.

§ 96. *Villages, Towns, and Cities.*

The only distinction between village (חָצֵר) and city (עִיר, poet: קִרְיָה) in the most ancient times was this, that an assemblage of houses and buildings surrounded by a wall was reckoned a city, without such surrounding, a village (1). But to this there was soon added the wider difference, that cities became distinguished by the larger number of houses, as well as by the size, solidity, and magnificence of at least many buildings. But whether there was also in more ancient times a definite distinction between villages (חֲצֵרִים) and townships (פְּפָרִים), and what it was, cannot be decided, for the Old Testament gives almost no information regarding the site, building, and character of villages, towns, and cities (2). From the Book of Joshua, in which "cities and their villages" are commonly named in the apportioning of the land to the tribes of Israel, *e.g.* Josh. xiii. 23, 28, xv. 32, 36, 41, etc., so much only is clear, that some villages belonged as a rule to the cities, and consequently depended in some way on the cities. With increasing population and extension, villages and towns here and there became cities, as may be gathered in many cases from their names (3).

The cities of Palestine were, to judge from the great number of them enumerated in the Book of Joshua, relatively small, like most of the cities of higher antiquity. Not till great kingdoms arose, and flourishing commerce in favourable situations had produced great emporiums, did the capitals or commercial centres become large, populous, and far-spreading cities. In plan and building the Israelitish cities had no doubt, on the whole, the character of the Oriental cities of to-day, that is to say, narrow, crooked streets (חוּצוֹת, שְׁוָקִים, Eccles. xii. 4; Song of Sol. iii. 2), with roomy squares (רְחֹבוֹת) in the neighbourhood of the gates, where markets (2 Kings vii. 1) and courts were held. We can hardly suppose, however, that they spread out so widely as many of the larger cities of the modern East, which often embrace extensive open spaces, gardens, etc. (4). Of the streets

probably very few indeed were paved (5). — Many cities were fortified, surrounded with high walls having strong gates and brazen or iron bars (Deut. iii. 5), and provided with watch-towers (2 Sam. xviii. 24 f.) (6). Many a city, too, was almost impregnable, because of its site on a steep mountain, though surrounded only by a simple wall. The cities built on hills and mountains may have been laid out sometimes in terrace or amphitheatre form, so that the flat roofs constituted the street for the row of houses next above them, as in the Jewish quarter of the modern Safed (7).

With the increasing prosperity of the Israelites, their cities were naturally adorned with beautiful and imposing buildings, especially the residences of kings and princes, though much was probably wasted and destroyed by the ever recurring wars. Most of the destroyed places were afterwards rebuilt. Even the traces of the seventy years' desolation of the land during the Babylonian exile, though very gradually, were more and more effaced, and the country again covered with villages, towns, and cities. Especially did Herod the Great and his successors seek their glory in founding new cities and in restoring and beautifying old and ruined ones, which were furnished in Greek and Roman style, with theatres, gymnasiums, temples, and other ornamental buildings; some of them also were strongly fortified. But even of these buildings there are only few and insignificant remains, which are not at all fitted to give an idea of the architecture of the old Israelitish cities and townships.

(1) This distinction is made by the Mosaic law, Lev. xxv. 29–31, between עִיר חוֹמָה (ver. 29), or עִיר אֲשֶׁר־לֹא חוֹמָה (ver. 30) and חַצְרִים אֲשֶׁר אֵין־לָהֶם חוֹמָה (ver. 31). Later also, 1 Sam. vi. 18, a distinction is made between עִיר מִבְצָר, fenced city, and כְּפַר הַפְּרָזִי, open town (village); and it is said of the אֶרֶץ פְּרָזוֹת, Ezek. xxxviii. 11, that its inhabitants בְּאֵין חוֹמָה, dwelt without bars and gates. פְּרָזָה, viz., is the open, the plain, the unwalled open township. Comp. Zech. ii. 4.

(2) The Book of Joshua knows in Canaan only עָרִים, *cities*, and חַצֵרִים, *villages* (xiii. 23, 28, xv. 32, etc.), and in the country of the Philistines "cities and their daughters and their villages" (Josh. xv. 45–47), or "cities and their daughters" (וּבְנֹתֶיהָ), which the Manassites received in the territories of Asher and Issachar

(Josh. xvii. 11). The בְּנוֹת or בְּנֹתֶיהָ are, however, not towns (κῶμαι), but smaller cities dependent on the chief cities. On the contrary, 1 Chron. xxvii. 25, mention is made of עָרִים and כְּפָרִים. The word כְּפָר, except in the proper name כְּפַר הָעַמּוֹנִי, Josh. xviii. 24, does not occur till the Song of Sol. vii. 12, 1 Chron. xxvii. 25, and in 1 Sam. vi. 18 in the form כְּפָר, and in the latter place it seems to denote the smaller open country towns of Philistia (=בְּנֹתֶיהָ, Josh. xv. 45 ff.), not villages (חֲצֵרִים). In the case of many cities which had surrounding walls, in more ancient times as they gradually extended the walls fell away, so that they became עָרֵי חֻפְרָז, Deut. iii. 5, and פְּרָזוֹת, Zech. ii. 8.

(3) Of this we have instances in חֲצַר־אַדָּר, Num. xxxiv. 4; אַדָּר, Josh. xv. 3; חֲצַר־גַּדָּה, Josh. xv. 27; חֲצַר־סוּסָה, Josh. xix. 5; (עֵינָן) חֲצַר־עֵינָן, Num. xxxiv. 9 f.; Ezek. xlvii. 17, xlviii. 1; חֲצַר־שׁוּעָל, Josh. xv. 28, xix. 3; 1 Chron. iv. 28; Neh. xi. 27; כְּפַר־הָעַמּוֹנִי, Josh. xviii. 24; כְּפַר־נַחוּם, Καφαρναούμ, Luke iv. 31. Still more frequently in Arabic and Syriac; comp. Gesen. *Thes.* p. 707. Thus is explained the fact that many places are designated now cities, now villages, *e.g.* Bethlehem, in John vii. 42, κώμη; on the contrary, Luke ii. 4, πόλις,

(4) Comp. Winer, *Bibl. R.W.* ii. p. 508, with the proofs there adduced.

(5) According to Josephus, *Antiq.* viii. 7. 4, Solomon had the roads leading to Jerusalem laid with black stone, that is to say, paved. But the care to provide firm highways leads us to infer that attention was also given to the paving of at least the main streets in the larger cities. More certain are the statements, that Herod the Great paved the main street in Antioch (*Antiq.* xvi. 5. 3), and Herod Agrippa II., Jerusalem, with white stones (xx. 9. 7). At present the streets of Jerusalem (and of most cities in the East) are "narrow and badly paved, or rather irregularly laid with broad stones; but the slope of the ground contributes to keep them cleaner than is the case in most Oriental cities." Robinson, *Palestine*, vol. i. p. 222; comp. iii. p. 190.

(6) From the constant distinction between *cities* and *fenced cities* (עָרֵי מִבְצָר), it is clear that the mere having of a surrounding wall did not make a city a stronghold. Even in Moses' time Bashan was famed for its strong cities, with high walls, strong gates, and bars (Deut. iii. 5; 1 Kings iv. 13). In after times, especially under the kings, many places, particularly frontier and chief cities, and above all Jerusalem, were strongly and artistically strengthened by the erection of thick walls

with battlements (פִּנּוֹת, 2 Chron. xxvi. 6 f.; Zeph. i. 16), and high towers raised partly over the gates (2 Sam. xiii. 34; 2 Kings ix. 17), partly at the corners of the walls (מִגְדָּלִים, 2 Chron. xiv. 7, xxxii. 5); and the walls were still further defended by ditch and rampart (חֵל) on the outside (2 Sam. xx. 15; Isa. xxvi. 1; 1 Kings xxi. 23). Besides, there were built, sometimes in the cities (Judg. ix. 51 ff.), sometimes at different points of the open country, watch-towers and keeps or castles (בִּירָנִיּוֹת, 2 Chron. xvii. 12; 2 Kings xviii. 8; 2 Chron. xxvii. 4), to protect the land and kingdom against enemies.

(7) Comp. Robinson, *Palestine*, vol. ii. p. 421; and Riehm, *Hdwb.* ii. 1534 ff.

SECOND CHAPTER.

FOOD OF THE ISRAELITES.

§ 97. *Articles of Food, or Meats and Drinks.*

The articles of food used by men are chiefly determined by the products of the land they inhabit, and change with the growth of culture. To the first human pair in Paradise there were assigned for food seed-bearing plants and fruits (Gen. i. 29); but the use of flesh also goes back to primeval times (1).—The articles of food used by the ancient Israelites were, partly vegetable, partly animal, to which from the first salt was added as a seasoning. Grain formed the chief nourishment; wheat, barley, spelt, and millet, which were eaten, sometimes baked into bread and cakes, sometimes in the ear and grain roasted in the fire (קָלִי) (2). Along with bread, milk was an article of daily food, not only milk of cows, but also of sheep and goats (Deut. xxxii. 14; Prov. xxvii. 27), sometimes sweet (חָלָב), sometimes as sour milk, thick or curdled (חֶמְאָה) (3). Much liked also were honey (דְּבַשׁ) of bees, perhaps also grape honey (must of sweet grapes boiled to a syrup), and wood honey of wild bees (1 Sam. xiv. 25; Matt. iii. 4, *μέλι ἄγριον*), in which Palestine was and still is rich (4), raisins (צִמֻקִּים, Ital. *simmuchi*), dried figs (דְּבֵלִים, 1 Sam. xxv. 18), date-cakes (2 Sam. xvi. 1) (5), and various fresh fruits.—Of vegetables there were used chiefly

pulse, lentils, and beans, with onions, garlic, and cucumbers; also green herbs, sometimes reared in gardens (1 Kings xxi. 2), sometimes growing in the fields (יֶרֶק, Prov. xv. 17).—Of animal food, the flesh of oxen, sheep, and goats ranks first. The flesh of calves, lambs, and kids was especially prized, perhaps also that of pigeons and turtle doves (6). On the tables of the rich game was also to be found: stag, antelope, buck, and various kinds of winged game (1 Kings v. 3; Neh. v. 18) (7). Fish also, the taste for which had been acquired by the Israelites in Egypt (Num. xi. 5), were supplied from the lake of Gennesaret in great abundance (John xxi. 11; comp. Matt. xiv. 17, xv. 34), so that in Galilee, probably after being salted and roasted, they formed the ordinary accompaniment of bread (*ὀψάριον*, John vi. 9, 11, xxi. 9 ff.), while in after times the Phœnicians brought fish to market to Jerusalem from the sea (Neh. xiii. 16). Finally, the poorer people also ate locusts (Lev. xi. 22; Matt. iii. 4; Mark i. 6), sometimes salted and roasted or fried, sometimes boiled in water and buttered (8).

(1) No doubt it is not till after the Flood that God allows men the flesh of animals for food as well as the green herb (Gen. ix. 3). But since the Cainite Jabal establishes the nomad life, as father of them that dwell in tents and have cattle (Gen. iv. 20), it is not likely that he and his posterity used only the milk of the cattle for nourishment, and their skins and wool for clothing, without also eating the flesh, though Abel may have followed the rearing of his flock (Gen. iv. 2) only to eat their milk and clothe himself with their wool.

(2) קָלִי (Lev. xxiii. 14), translated by Luther mostly by *Sangen* [*parched* corn], but in 2 Sam. xvii. 28 by Grütze [*groats*]; or קָלוּי, *roasted* (Josh. v. 11), denotes generally roasted grain, especially wheat kernels, still a favourite food in Palestine, Syria, and Egypt. Ears not yet quite ripe are burned with their stalks, then passed through a sieve; or wheat stalks and ears are bound in small bundles and roasted at a blazing fire (אֲבִיב קָלוּי בָּאֵשׁ, Lev. ii. 14), and the kernels eaten (U. J. Seetzen's *Reisen*, i. p. 94, iii. p. 221; Robinson's *Biblical Researches*, ii. p. 393). But the grain thus roasted is not so palatable as when—as often happens in harvest time (Ruth ii. 14)—the wheat kernels, not yet fully dry and hard, are roasted in a pan or on an iron plate and then eaten with bread

or instead of it (Robinson's *Palestine*, ii. p. 50).—Leguminous fruits also: common and chick-peas (comp. Harmer's *Beobacht.* i. p. 255 ff.) are roasted in the same way, whence is explained the double mention of קָלִי in 2 Sam. xvii. 28. Comp. Gesen. *Thes.* p. 1215.

(3) Curdled, sour milk, חֶמְאָה, Arab. *Leben*, still forms, after bread, the chief food of the poorer classes in Arabia and Syria; nor is it wanting on the tables of the well-to-do (Robinson's *Palestine*, ii. p. 210 f., and *Biblical Researches*), and is brought to market in large quantities (comp. Russel's *Natural History of Aleppo*, and Robinson's *Biblical Researches*). Travellers carry it with them, mixed with meal and dried, and take it dissolved in water as a refreshing drink (Burckhardt's *Travels*). No doubt the Israelites prepared *cheese* of different kinds, גְּבִינָה, strictly curdled milk, whey (Job x. 10), according to the dialects, also cheese (comp. Gesenius, *Thesaur.* p. 259), and חֲרִיצֵי הֶחָלָב, *segmenta lactis* (1 Sam. xvii. 18), according to the old versions and the Rabbins *soft* cheese (Gesen. *Thesaur.* p. 526); indeed, at a later time there was at Jerusalem a *cheesemaker's dale*, φάραγξ τῶν τυροποιῶν (Joseph. *de bell. jud.* v. 4. 1).—But whether they also made *butter* is yet disputed (comp. Gesen. *Thes.* p. 486), but very probable from Prov. xxx. 33: "the churning of milk (חָלָב) bringeth forth חֶמְאָה, butter."—The method followed by the modern Bedouins in making butter is this: the milk is put into a skin, the tanned hide of a whole goat, this skin is hung up on a light frame or between two poles, and pushed steadily from side to side till the butter is ready. Robinson's *Palestine*, i. p. 485; Wellsted's *Travels in Arabia*, edited in German, by Roediger, ii. p. 210.

(4) By דְּבַשׁ is to be understood bee honey in most passages of the Old Testament, even in those where Canaan is described as a land flowing with milk and honey (Ex. iii. 8, 17, etc.). For since Palestine is rich in wild bees (comp. Oedmann, *Verm. Sammll.* vi. p. 136), and bee culture is still vigorously carried on in many places (Robinson, *Palestine;* Winer, *R. W.* i. p. 79), it can hardly be doubted that the Israelites also from the earliest times gave themselves to it, especially as it is often mentioned in the Mischna, and was, according to Philo (ii. 633), followed particularly by the Essenes. But the Israelites seem also to have prepared grape honey and made it an article of export (Gen. xliii. 11; Ezek. xxvii. 17). By the Arabs it is called Dibs (= דִּבְשׁ), and boiled to a syrup from pressed grape-must (comp. as to the method, Robinson's *Biblical Researches*, p. 381). In this form it contributes still an important article of com-

merce in Palestine and Syria, three hundredweight of grapes yielding one of dibs, and when diluted with a little water taking the place of sugar (Burckhardt's *Travels;* Robinson's *Palestine,* ii. p. 81. More fully on the subject in Bocharti *Hieroz.* iii. p. 365 sqq.).

(5) The meaning of the word קַיִץ in 2 Sam. xvi. 1 and Amos viii. 1 f., corresponding to the Greek ὀπώρα, cannot be made out with certainty. Most of the old versions render it by *lumps of figs* (παλάθαι); the LXX: ἑκατὸν φοίνικες; Kimchi: *dried fruits;* comp. Gesen. *Thes.* p. 1209. Only since dried fig-cakes are called דְּבֵלִים (1 Sam. xxv. 18), and since at the present day ripe dates are kneaded into close, cake-like masses, and are taken on journeys through the desert as satisfying and refreshing food (comp. Sonnini and Burckhardt in Winer, *R. W.* i. p. 253), we should probably understand קַיִץ with the LXX. to mean dates.

(6) Pigeons of various kinds (Isa. lx. 8) were reared from ancient times; besides, there were and still are in Palestine many wood-pigeons. Comp. v. Schubert, *Reise,* iii. 250; Robinson, *Palestine,* i. 193, 500.

(7) Regarding בְּרִבְרִים אֲבוּסִים, fatted fowl (1 Kings iv. 23), comp. my comment. on the passage.

(8) This custom is found still in many Arab tribes and other peoples of the East, so that locusts are offered for sale in Arabia at the markets, and when dried are not only preserved in sacks for winter food, but also ground to meal and baked into cakes. Comp. Knobel on Lev. xi. 21.

The animal food of the Israelites was, however, limited in many respects by the Mosaic law, not only by the primeval distinction more exactly defined in the law between clean and unclean animals, but also by the sacrificial laws. By the former *distinction* they were forbidden to eat, as being unclean, the flesh of the camel, hare, rock-badger, and swine (Lev. xi. 4–8; Deut. xiv. 7 f.), which is eaten by the Arabs and other peoples; further, of water animals, all fish without scales and fins, *e.g.* eels and all shell-fish, such as crabs, oysters, and the like; of fowls, birds of prey and marsh fowls feeding on worms and carrion; the smaller polypeds and all creeping creatures, with the exception of some of the locust kind (see above, § 12); finally, the flesh of cattle that had fallen down dead (נְבֵלָה) or been torn by wild beasts (טְרֵפָה, Ex. xxii. 30; Lev. xi. 39 f., xvii. 15; Deut. xiv. 21), as well as all food prepared with water on which the carcase of unclean insects had fallen (Lev. xi. 34).—By the sacrificial

ordinances, not only was the eating of all blood of cattle and birds, and bloody flesh unconditionally forbidden (Lev. iii. 17, vii. 26, xvii. 10–14; Deut. xii. 16, 23; comp. Gen. ix. 4; 1 Sam. xiv. 32 ff.), but also of the fatty portions, which in the sacrifices of oxen, sheep, and goats were burned on the altar (Lev. iii. 17, vii. 23, 25). Besides these, according to ancient tradition, the Israelites, from a feeling of reverence, denied themselves the use of the sinew (*nervus ischiadicus*) of the hip (Gen. xxxii. 33).

Of *drinks*, water takes the first place. For the better quenching of thirst, the common people used a sour drink (חֹמֶץ, Ruth ii. 14), a sort of vinegar mixed with oil, perhaps also sour wine (9). The well-to-do drank wine, probably mixed with water, and often also spiced (10), and a stronger intoxicating drink (שֵׁכָר, *σίκερα*), probably date wine pressed from ripe dates soaked, or Egyptian barley wine (11). But every drink was unclean if taken out of a vessel which had been defiled by the carcase of unclean beasts (Lev. xi. 34).

(9) Still a common drink in the East, comp. Rosenmüller, *A. u. N. Morgenl.* iii. p. 68, as among the Romans *acetum* mixed with water was drunk by soldiers and poor people under the name of *posca;* comp. Winer, *R. W.* i. p. 349 f.—According to Num. vi. 3, the Israelites had vinegar from wine and from *Shekar*, *σίκερα*. The ὄξος μετὰ χολῆς μεμιγμένον (Matt. xxvii. 34, 48; John xix. 29), for which Mark xv. 23 has οἶνος ἐσμυρνισμένος, is sour wine prepared from the husks (comp. K. F. Hermann, *Lehrb. der griech. Antiquitäten*, Th. iii. 1, p. 124), mixed with myrrh or other acid having a stupefying effect.

(10) The ancient Greeks and Romans drank wine only when mixed with water, the common proportion being three parts water and one part wine, or five parts water and two parts wine, and the mixing of both in equal proportions was reckoned the highest which a drinker should allow himself (comp. Hermann, *ubi supra*, p. 125; W. A. Becker, *Charikles*, Bd. ii. p. 277, 2nd ed. edited by Herm., and Gallus, Bd. i. p. 190, 2nd ed.).—This custom cannot indeed be proved from the Old Testament as one common among the Israelites, but it can be from the Mischna, *Pesach.* vii. 13 (ii. p. 163, ed. Sur.). Drinkers indeed held the mixing with water as an adulteration (Isa. i. 22).—But it was more common to strengthen the wine by the addition of spices (Ps. lxxv. 9; Prov. ix. 2, 5; Song of

Sol. vii. 3), so as to make spiced wine יֵין הָרֶקַח (Song. of Sol. viii. 2). It was customary also to strain wine that had settled on the lees through a cloth (זָקַק, διυλίζειν), to purify it from the lees and any small insects that might have fallen into it (Isa. xxv. 6, and Gesenius on the passage, Matt. xxiii. 24).

(11) Sicera (שֵׁכָר) hebræo sermone omnis potio, quæ inebriare potest, sive illa quæ frumento conficitur, sive pomorum succo, aut quum favi decoquuntur in dulcem et barbaram potionem, aut palmarum fructus exprimuntur in liquorem, coctisque frugibus aqua pinguior coloratur. Jerome, *ep. ad Nepotian.* t. iv. p. 364, ed. Martian.—More regarding the strong drinks of the ancients in Winer's *Realwört.* ii. p. 687; and Gesenius, *Thes.* p. 1410.

§ 98. *Aim and Meaning of the Mosaic Laws regarding Food.*

The Mosaic laws on this subject did not proceed from considerations of diet, nor were they of the nature of police regulations (1). Their common ground is to be sought in the call of Israel to be God's people. Separated by Jehovah from the peoples of the earth, that it might be holy, as Jehovah its God is holy, Israel was called to observe two things. On the one hand, it was not to defile itself by taking either the flesh of unclean animals, or the polluted flesh of clean beasts, but in its food to be careful of purity as the bodily reflection of holiness (Lev. xi. 44 f., xx. 25); on the other, to be constantly kept in mind of its unholiness flowing from sin, it was to abstain from taking either the blood or the fatty portions of eatable animals, which Jehovah had separated and hallowed for the altar as means of expiation and sanctification.

1. The distinction between clean and unclean animals goes back far beyond the Mosaic legislation, to the primeval times of the human race (Gen. vii. 2, viii. 20), but it did not originate in a dualistic view of the creatures (2). According to biblical doctrine, all the creatures of the earth were created good and pure, as creations of the holy God. It is through man's fall that impurity enters into the good earthly creation. The sin which sprang from the misuse of that free-will with which he was created has its seat, no doubt, in the soul, animated by the spirit, but it spreads from the soul outwards,

not only over the body, which it disorders so as to make it the prey of death and corruption, but still more widely from man over the whole earthly creation, the earth becoming subject, because of sinful man, to the curse of bearing thorns and thistles (Gen. iii. 17 ff.), and the whole κτίσις being given over to ματαιότης and φθορά (Rom. viii. 20 f.). Yet the irrational creature, as being without freedom, is not itself affected with sin; it only suffers under the consequences of sin, and in many forms and appearances reflects sin and death as the fruit of sin (3). This fruit and effect of sin, under which the creature sighs for redemption, appears most conspicuously in natural death, the corruption of the body. Hence everything dead and corrupting is reckoned unclean, and to be avoided by Israel, because repugnant to its destination to be God's holy people. Hence human corpses are of all things the most defiling. Next to them leprosy, as the bodily image of sin and death, and certain discharges, partly morbid, partly natural, from the human body, as analogues of the matter of corruption. Lastly, dead animals, *i.e.* those that have died naturally, not killed by men, and their carcase, not excepting even beasts intended for slaughter and allowed to man for food (Lev. xi. 39). These things defile even by the bare touch (xi. 8, 11, 24–28, 31, 36), whereas no living unclean animal defiles by the mere touch, because none is in itself unclean (4). For these impurities, mostly unavoidable in life, the law had ordained the purifications described in § 56 ff.

The contrast between clean and unclean extends still further in respect of the food which man consumes. In this respect the Israelite must not only not eat the flesh of animals that have died naturally, and become the prey of corruption; but there are also various living animals which, as being unclean, he must not use for food. That the same principle forms the ground of this law is easily seen in the case of many kinds which are designated as unclean. For example, all animals are unclean which bear the image of sin, of death, and corruption. So among the larger land animals, all ravenous beasts which lie in wait for life, spread death and destruction in God's creation, tear and devour the living. Of winged creatures, not only birds of prey, eagles, vultures, etc., but also marsh

birds and others, which live on worms, carrion, and all sorts of impurities (5). Of water animals, all serpent-like fishes and slimy shell-fish, and of small creeping things, all except some kinds of locusts, because, partly, they recall the old serpent, partly they seek their food in all sorts of impurities, partly they crawl in the dust, and represent corruption in the slimy character of their bodies.

But if the image of sin and death does not meet us so obviously in all animals designated by the Mosaic law as unclean, and if we can still less recognise this principle in the marks by which the larger quadrupeds are divided into clean or unclean, we must remember that the lawgiver was not the first to introduce this distinction, but only regulated and defined a long existent distinction in accordance with the spirit of divine revelation. But this distinction itself, according to which men chose for food not all domestic animals, but of these only the ox, sheep, and goat, did not proceed from any experience of the greater or less savouriness or palatableness of the flesh of some animals compared with others. It rests on a certain immediate feeling, induced by man's insight into the nature of the animals and their destination to his use, ere it was disturbed by any unnatural and ungodly culture. For as his con-created consciousness of God became, in consequence of sin, a warning voice of God accusing him of sin and unrighteousness, this voice told on his attitude toward the earthly creation, and especially to the animal world, in such a way, that many animals appear to him as symbols of sin and destruction, which filled his soul with horror and aversion. Not till his consciousness of God degenerated and darkened did this aversion in many races become blunted, and with this blunting the right choice of animals for his food, corresponding to the destiny of man, became darkened.

Accordingly, to bring mankind back to God, the Mosaic law seeks to quicken that insight into the nature of sin, and of the disorder which sin has produced throughout nature. It therefore defines the difference between clean and unclean animals, partly by general marks, which, in the case of the larger quadrupeds, are taken from the tame domestic animals, which from the earliest times furnished man with food; partly by special enumeration of the animals not to be eaten

as unclean; so that the Israelites were forbidden to eat many animals which other peoples ate without prejudice to health; not, however, that we are able by reflection to recognise and prove in every one the ground of this prohibition, or that peculiar significance, whereby antiquity saw in it a symbol of sin and abomination (6).

(1) So especially R. Moses Nachman, and Grotius on Lev. xi. 3; Spencer, *De leg. Hebr. rit.* i. c. 7, sec. 2; Michaelis, *Mos. R.* iv. § 202 ff.; Saalschütz, *Mos. R.* i. p. 251 ff., etc., in variously modified ways. Comp. the refutation in Sommer's *bibl. Abhdll.* i. p. 187 ff.

(2) As was thought by Rhode, *d. heil. Sage des Zendvolks*, p. 453 ff.; Bleek, *Theol. Stud. u. Krit.* 1831, p. 497 f.; v. Bohlen on Gen. vii. 2. Comp. on the other side, Sommer, p. 193 ff.

(3) "Sin was not confined in its consequences to the region of *spirit*. It also penetrated deeply into the *bodily* region. Its consequence is first *death*, then the whole host of *diseases*, of repulsive and loathsome conditions; its influence extends even to the *irrational* creation; there is found in it much which cannot have belonged to the original creation, which clearly reflects the image of sin, much that is weird, foul, repulsive, impure. These consequences of sin in the visible domain are there to bring it (sin) to our consciousness." Hengstenberg, *Offenb. Joh.* ii. p. 121 f.

(4) Hence neither is defilement caused by the touch of unclean animals, if they are killed; and unclean (not eatable) animals which have died have no greater uncleanness than clean (eatable) animals in the same circumstances. From Lev. xi. 29 ff., where eight kinds of small vermin are enumerated, which by dying defile furniture, clothes, and food on which they fall, it is not warrantable to conclude, with Sommer (p. 211 ff.), that the impurity of these animals was greater than that of the rest. All unclean animals that died defiled the person who carried their carcase, so that he was bound to wash his clothes (Lev. xi. 24, 25, 28). The things which are defiled by those eight kinds of animals belong all of them to the household; and defilement of these things by the creatures named is only expressly mentioned because they, so far as they can be determined (comp. Sommer, p. 260 ff., and the commentaries on Lev. xi. 29 f.), lived in houses, crawled about in dwellings, and so when they died might easily fall on furniture, clothes, or food. The other creatures, on the contrary, because not taking up their abode in rooms, when they died could not easily fall on household stuff, or touch and pollute meats. The lawgiver confines himself to express mention of the most important

defilement which ordinarily happened, as previously in vv. 3–7 he names expressly only the most important of the larger land animals whose flesh was not to be eaten, as the camel, hare, rock-badger (שָׁפָן, *hyrax Syriacus*, the *Wabr* of the Arabs; Luther: *Kaninchen* [rabbit]; others: leaping-hare, *jerboa*; comp. Roediger on Gesen. *Thes. s.v.*; and Robinson, *Biblical Researches*, p. 66, note 3), and swine, whose flesh the Israelites were tempted to eat by the habit of neighbouring peoples; on the other hand, he passes over others, *e.g.* the ass, because its flesh was not used for food, either by the Israelites or neighbouring peoples, except now and then in cases of extreme famine (2 Kings vi. 25).

(5) It is on other grounds that the ostrich (בַּת הַיַּעֲנָה) and the bat (עֲטַלֵּף) are declared unclean; partly because of their mongrel nature, after the analogy of Lev. xix. 19; Deut. xxii. 9 ff.; partly, no doubt, also because the ostrich finds a dwelling in desert places, and the bat in darkness. Comp. Sommer, p. 256 ff.

(6) The development given in the text is called by Kurtz (*Opferc.* p. 7 f. [Eng. tr. p. 24 f., note]) "a mistaken view," because, if the matter were as represented, it would be impossible to see "how the apostles could regard themselves as entitled wholly to abolish the difference between clean and unclean animals." The point of view which regulates the distinction is clearly expressed, according to him, in Lev. xx. 24–26. There it is said (vv. 24, 25): "I am Jehovah your God, which have separated you from the peoples. Ye shall therefore separate between the clean beast and the unclean, and between the unclean fowl and the clean; and ye shall not make your souls abominable by beast or by fowl, or by anything wherewith the ground teemeth, which I have separated from you as unclean." "Accordingly the fundamental thought of these laws about food is *this:* because, and as Jehovah separated Israel from the nations, to be to Him a holy people, so and therefore shall Israel also separate the clean animals from the unclean. Thus Israel shall be reminded by its daily food of the goodness of God in choosing it from among the nations, of its peculiar calling and destination, and of its consequent obligation not to be as the heathen are. The choice of clean animals for the sustenance of the natural life was to typify, in the sphere of nature, what had taken place among men through the selection and vocation of Israel: the heathen nations being represented by the unclean, Israel by the clean animals" (!?). "The fundamental idea of the Mosaic laws of food is therefore not an *ethico*-religious, but a redemptive-*historical* one" (p. 26). In keeping with this fundamental thought, the marks and signs by which the clean and unclean animals are to be distinguished

are to be regarded from a symbolical point of view. What distinguishes the clean from the unclean must, according to him, be a bodily representation of that which distinguishes Israel specially from the heathen. So the chewing of the cud is to be explained "as the figure of a spiritual function," to wit, "as the symbolical representation of the special peculiarity of spiritual nourishment by the word of God." This meaning he finds described in Josh. i. 8: "Let not the book of the law depart out of thy mouth, but meditate thereon day and night," etc. As to the cloven hoof, it is "to be considered that the tread of animals so provided is surer and firmer than that of animals with the hoof whole" (p. 29).—This explanation of the marks we will leave aside, for such allegoric typological interpretation is matter of taste, not of discussion. Neither do we choose to enter into the investigation, whether the tread, *e.g.* of the sheep and goat, is surer and firmer than that of the ass and camel. But this we must say, regarding the whole argument, that Kurtz labours under a great self-delusion if he imagines that by his alleged "fundamental thought of the Mosaic laws about food" he has also comprehended the ground, the *ratio* of the distinction between clean and unclean animals. The "redemptive-historical thought lying at the root" of the Mosaic laws about food, to train Israel to be a holy people (comp. Lev. xi. 43–45), and the *ratio* lying at the foundation of the distinction between clean and unclean animals, are logically, and according to the use of language, two very different ideas. As little does it follow, according to the simplest rules of logic, from that "fundamental thought in the history of redemption," that "the clean animals are the figures of the chosen holy people, and the unclean of the heathen" (Kurtz, p. 26). But the vision which was given to Peter (Acts x. 10 ff.) was intended to teach him and the other apostles that the opinion of the Jews of that time, that the heathen, as such, were unclean, and must first be cleansed by circumcision to be received into the Christian Church, was an error and delusion; that, on the contrary, the whole creation of God was pure, and that the distinction between clean and unclean animals had first come by the fall of man into the pure and good creation of God. With the removal of sin by Christ, this consequence of Adam's fall is therefore also removed, so that for him who has become a new creature in Christ, the distinction of meats has lost all meaning. Thereby, also, is the argument refuted which Kurtz has brought against our view of the matter. To abolish the difference between clean and unclean animals would have been unjustifiable on the part of the apostles only if the distinction had been founded in a dualism of creation, if the unclean animals had been the

creatures of Ahriman or Typhon, or some other original principle hostile to God.

2. Besides the flesh of unclean animals and all defiled flesh, there was also forbidden to the Israelites the eating of blood and of the fatty portions of sacrificial animals appointed to be burned on the altar, and that under penalty of being cut off. They were to eat no blood in any of their dwellings, either of bird or beast (Lev. vii. 26), because the soul of the flesh is in the blood, and Jehovah gave it to them for the altar to atone for their souls (Lev. xvii. 10–12). If any of the children of Israel or of the sojourners among them ate blood, he was to be cut off (7). The blood of eatable game and fowl obtained in the chase was to be let out and covered with earth (Lev. xvii. 10, 13, 14), and the blood of cattle slaughtered for eating was to be poured out like water on the earth (Deut. xii. 24) (8). No fat of ox, sheep, or goat was to be eaten by Israel; if any one ate fat of cattle whereof an offering was made by fire to Jehovah, he was to be cut off from among his people (Lev. vii. 23, 25). The fat of cattle that had died naturally or been torn, might be used for any other purpose, but not eaten (vii. 24). By fat (חֵלֶב) we have therefore to understand only those fat portions of animals suitable for sacrifice, which were destined for the altar; not the fat mixed with the flesh (9).

(7) "The prohibition of the use of blood," says Delitzsch, *System d. bibl. Psychologie*, p. 239 f. [Eng. tr. p. 283 f.], "has a two-fold ground: blood has the soul in itself, and in accordance with the gracious ordinance of God it is the means of expiation for human souls, because of the soul contained in it. The one ground is found in the nature of blood, and the other in its destination to a holy purpose." The first ground he defines more particularly in his *Commentary on Genesis*, p. 226; 4th ed., thus: "The relation of the soul to the blood, a much more immediate one than to the flesh, is indicated by the juxtaposition of נֶפֶשׁ and דָּמוֹ (Gen. ix. 4), and so at once the ground of the blood prohibition, namely, holy reverence of the life moving in the blood, life which is God's who gave it; perhaps also (though this ground is nowhere expressly given in the Old Testament) prevention of the brutalizing to be apprehended for human life, by too close contact between it and animal life. The Mosaic legislation repeats this prohibition of blood, apart from Lev. xix. 26, seven times: Lev. iii. 17, vii. 25–27, xvii. 10–14; Deut. xii. 16,

23, 24, xv. 23, and also gives the ground of it, Lev. xvii. 11, in the fact that the blood is a means of expiation בְּנַפְשׁ, in virtue of the soul contained in it. This reason of the prohibition has ceased with the typical sacrificial Torah itself, but the second, to which witness is borne by the natural shrinking of man until he has become savage or depraved from the use of blood, continues although it is not binding with the force of O. T. law." — Only the view that the use of animal blood has a hurtful effect on the body and soul of man, a view cherished by many Rabbins (see Maimonides, *Moreh Nevoch.* iii. 48; Hottinger, *Juris Hebræor. leges*, cclxi. p. 209 sq.), and therefore that fear for the brutalizing of man forms the ground of the prohibition, we cannot regard as well founded, because it is neither expressed nor hinted in the Old Testament, nor is there any trace of such shrinking among the other peoples of antiquity. Besides, if this shrinking had a real foundation, then the prohibition of blood would not be abrogated in the New Testament. It is true that in the apostolic age heathen who had come to believe in Christ were required to abstain from blood, whether without or within the animal's body (*αἵματος καὶ πνικτοῦ*, Acts xv. 20, 29, xxi. 25), and that so late as Tertullian's time (*Apologet.* c. 9) the prohibition of blood was observed by Christians. But these facts form no proof of a *horror naturalis* in the use of blood on the part of men not yet sunk into savagery, but are explained by the circumstance that it was very difficult for the Christians of the first century to acquiesce in the abrogation of the Mosaic ritual.

(8) Because of the blood, the eating of bloody portions of flesh (Gen. ix. 4), or of flesh with blood (Lev. xix. 26; 1 Sam. xiv. 32 ff.), is also forbidden. Some Rabbins (see Breithaupt on *Jarchi* [i.e. *Jizchaki*] on Gen. ix. 4; Deut. xii. 23; Selden, *De jure nat.* p. 827, ed. Argent. 1665) and Christian expositors, *e.g.* Rosenmüller, are disposed to explain this prohibition from the custom which prevails among the Abyssinians of cutting pieces of flesh out of live oxen and eating them (comp. Rosenm. *A. u. N. Morgenl.* i. pp. 39 ff., 309 f.; Isenberg, *Abessinien*, i. 204, and the treatise: "Abessinische Beafsteaks aus lebenden Ochsen geschnitten," in "Ausland," 1868, p. 406 f.). But the explanation is unsatisfactory, for this one reason, that not a trace is to be found of this barbarous custom among the peoples with whom Israel came in contact.—The real ground is already given by Josephus, *Ant.* i. 3. 8.—Immediately connected with the strict prohibition of blood, was the requirement not to eat the flesh of what was torn (*i.e.* torn by beasts of prey), and of cattle that had died naturally, in the case of which there might also be the fear that the process of corruption had already set

in. The transgression of this prohibition caused uncleanness till the evening, and was removed by washing of clothes (Lev. xi. 40). The same is impressed (xvii. 15) with the threatening that whosoever omits to purify himself shall bear his guilt (ver. 16).—There seems to be a contradiction between Lev. xvii. 15, according to which the native and the sojourner, if they eat נְבֵלָה וּטְרֵפָה, defile themselves until the evening, and Deut. xiv. 21: "Ye shall eat no נְבֵלָה; thou mayest give it unto the stranger that is within thy gates, that he may eat, or sell it unto a foreigner (נָכְרִי);" for according to this, the foreigner (גֵּר) does not seem to have been defiled by the eating of the נְבֵלָה. The attempted harmony of this contradiction given in Joh. Gerhard (*Comment. on Deut.* p. 883), by distinguishing between proselytes of the gate and of righteousness, is untenable, for this Rabbinical distinction is foreign to the Mosaic law. We must rather suppose that Moses in Deuteronomy had regard to the relations of Israel in Canaan, where intercourse with foreigners could not take so close a form as when they were associated in a camp. Hence he removed the restriction for foreigners in the cities of Israel, as indeed the prohibition of eating unclean flesh in Lev. xi. was addressed only to the Israelites, and in the other laws it was only the eating of blood and bloody flesh which was forbidden to foreigners as well as to Israelites.—Thus also is removed the difference between Ex. xxii. 30 and Deut. xiv. 21, in which Sommer (p. 244 f.) found a contradiction.

(9) The prohibition to eat the fat of animals offered in sacrifice is immediately connected with the ordinance, Lev. xvii. 3 ff., that all slaughtering of such beasts was to be sacrificial. When this precept, as inappropriate and impracticable after the settlement in Canaan, was abolished (Deut. xii. 15, 20–22), and the private slaying of animals was allowed, as a matter of course the prohibition was abolished, especially as only the prohibition of eating blood is inculcated as permanent (Deut. xii. 16, 23 f.).—Knobel is mistaken in the inference which he draws from Lev. xvii. 24: "In the case of the regularly slaughtered oxen, sheep, and goats, this (the use of the fat for any sort of purpose) was manifestly not allowed." For if in the ordinary slaughtering of these animals the eating of the fat was permitted, it was a matter of course that the fat also might be used for other purposes.

§ 99. *Preparation of Food.*

The preparation of food presupposes the use of fire, the invention of which goes beyond history, and seems to be

assumed in connection with the first sacrifice of Adam's sons (Gen. iv. 3) (1). The way in which fire was first procured is unknown. The Israelites seem, at least in later times, to have produced it by striking steel against flint (2 Macc. x. 3) (2).—To bake bread, corn was either pounded in a mortar (מִדֹּכָה), or more generally it was ground by women or female slaves in handmills (רֵחַיִם, Num. xi. 8; טְחוֹן, Lam. v. 13; טַחֲנָה, Eccles. xii. 4), with two stones, an under one fixed (פֶּלַח תַּחְתִּית, Job xli. 16), and an upper one moveable (רֶכֶב, Deut. xxiv. 4; פֶּלַח רֶכֶב, Judg. ix. 53), which every household had (3) (Ex. xi. 5; Isa. xlvii. 2; Matt. xxiv. 41). Then the meal was kneaded on a baking board (מִשְׁאֶרֶת) with leaven (שְׂאֹר), and after it was thoroughly raised, it was formed into thin round or oval cakes (כִּכָּר), and either baked simply on coals or red-hot stones, or in ovens (תַּנּוּר) (4).—In cases of haste, the leavening was omitted and the dough (בָּצֵק) was formed into thin round cakes, and baked on heated sand or flat stones (רְצָפִים, 1 Kings xix. 6), by hot ashes or coals put on them—ash-cakes (מְצוֹת, Gen. xix. 3; עֻגוֹת מַצּוֹת, Ex. xii. 39; עֻגָה, 1 Kings xvii. 13; מָעוֹג, 1 Kings xvii. 12) (5).—Commonly bread was baked of wheaten flour, but also of barley, millet, spelt, beans, and lentils (Ezek. iv. 9, 12). From flour there were besides many kinds of confectionery made, to wit—(*a*) oven-baked (מַאֲפֶה תַּנּוּר), sometimes perforated cakes (חַלּוֹת) kneaded with oil, sometimes thin flat cakes only smeared with oil (רְקִיקִים); (*b*) pancakes made of flour and oil, and sometimes baked in the pan (מַחֲבַת), sometimes boiled in the skillet (מַרְחֶשֶׁת) in oil, which were also presented as meat-offerings (comp. § 41); (*c*) honey-cakes (צַפִּיחִית דְּבָשׁ, Ex. xvi. 31), raisin or grape-cakes (אֲשִׁישֵׁי עֲנָבִים or אֲשִׁישׁוֹת, Hos. iii. 1; Song of Sol. ii. 5; 2 Sam. vi. 19; 1 Chron. xvi. 3), and heart-cakes (לְבִיבוֹת), kneaded from dough sodden in the pan and turned out soft (but not fluid), a kind of pudding (2 Sam. xiii. 6–9) (6).

(1) Abel could scarcely have offered his sacrifice to God of the firstlings of the flock otherwise than by consuming it with fire. If the opinion of the Rabbins, Theodoret, and other Fathers (comp. Bochart, *Hieroz.* i. p. 614, ed. Ros.), that this sacrifice was consumed by fire from heaven, were well founded in the text of Scripture, men might thus have learned the use

of fire.—"No nation has yet been discovered on the earth which did not know the use of fire (Goguet's statements as to peoples who were alleged not to know it have been already fully refuted by Linck, *Urwelt*, i. 341); only it has been hitherto impossible to show how it was discovered. We find the use of fire among the rudest nations of the north as well as of the south, in the interior as well as on the coast, and on mountain ranges as well as on islands." G. Klemm, *Allg. Culturgesch. der Menschheit*, i. p. 178 (Lpz. 1843). The same is shown by Peschel, *Völkerkunde*, p. 139 ff., who remarks, p. 142 [Eng. transl., King & Co., London 1876, p. 140]: "How the task was accomplished of producing fire artificially was explained in later times by the myth of Prometheus, who stole fire from the king of the gods. As this legend still endures as a national possession among the Ossetes or Irons in the Caucasus, and the language of this hill-tribe is of the Indo-Germanic family, it must have existed before the later dispersion of the Aryan races; but as in the glacial period fire was artificially produced at the source of the Schussen, far from all volcanic phenomena, we must not look to this myth for the traces of an historical event. On this point we may even appeal to Æschylus, who, in the now lost conclusion of his trilogy, makes Prometheus say that he has lain in fetters for thirty thousand years, so that he also refers the theft of fire to a period far beyond the limits of man's memory." Regarding the oldest mode of producing fire by rubbing two pieces of wood against one another, which is still found among so-called wild or half savage peoples in all parts of the world, see more particularly, *ibid.* pp. 143–147.

(2) The πυρώσαντες λίθους in this passage is not indeed conclusive for this view; the making of the stones red-hot rather points to the method of striking out sparks by the friction of stones on one another, and thus getting fire without steel (comp. my comment. on the passage). But the educing of fire by iron or steel and flint goes back also to times immemorial among peoples of antiquity. Plinius, *hist. nat.* vii. 56: Ignem e silice Pyrodes cilicis filius, eundem asservare in ferula Prometheus.

(3) These handmills, χειρόμυλαι, *molæ manuariæ*, were also in common use among the ancient Greeks and Romans, and belong still to houses of the middle class in the East. Comp. Robinson, *Pal.* i. p. 485, and an engraving in Niebuhr's *Reise*, i., plate 17 A.—In larger establishments grinding is a heavy labour, which was committed to slaves and prisoners (Judg. xvi. 21; Lam. v. 13). The later Jews had also larger mills, which were driven by asses (hence μύλος ὀνικός, Matt. xviii. 6),

and which are found among the Greeks and Romans as well as in the modern East. Comp. Robinson, and Winer, *R. W.* ii. p. 119 f.

(4) In the simple houses of the Israelites the oven no doubt consisted only of a large fireplace in the middle of the room, *i.e.* a large stone jar, about three feet high, open at the top, within which a fire was made, and when the sides were sufficiently heated the bread and cakes were put close to the outside and the opening at the top covered, and thus the bread was baked (Arvieux, *Nachr.* iii. p. 227; Niebuhr, *Beschr. v. Arab.* p. 57, Abbild.). Or the oven is half filled with pebbles, these are heated, and the dough spread above them (Arv. p. 229). These ovens are still called *Tannur* among the Arabs. Or the Tannur is a hole dug in the floor of the room and lined with pottery in which fire is put, and the dough spread on the sides and so baked (Robinson, *Biblical Researches*, p. 44). Yet no doubt bakers had already special ovens in ancient times (Hos. vii. 4, 6), such as are now public in Oriental cities (Harmar, *Beobacht.* i. p. 245 f.), and are little different from our own. Comp. Kamphausen, "Backen," in Riehm's *Hwb.* i. p. 140 f.

(5) Such ash-cakes, and bread baked without leaven in hot ashes, are still the common bread of the Bedouins and poorer Orientals. On the outside it is, of course, black as coal, but tastes well, notwithstanding, Robinson, *Pal.* ii. pp. 117 f., 262. But it is often baked also on iron plates over the fire, which recalls the מַחֲבַת of the Israelites (Lev. vi. 14, vii. 9), and the מַעֲשֵׂה הַמַּחֲבָתִים (1 Chron. ix. 31, xxiii. 29). Comp. Knobel on Lev. ii. 5.

(6) By לְבִיבוֹת others understand a sort of ginger-bread for strengthening the heart, or a heart-shaped confection (Thenius on 2 Sam. xiii. 6); Gesenius (*Thes. s.v.*) translates it *suet-cakes*, from לבב, to be fat (?). Comp. also Saalschütz, *Archäol.* i. p. 53.—The various kinds of baked delicacies and cakes had, no doubt, become known to the Israelites in Egypt, where baking was carried to great perfection. Comp. Hengstenberg, *die BB. Mos. u. Æg.* p. 25, and the views of Egyptian baking operations in Wilkinson, *Manners*, etc. ii. p. 385.

As to the preparation of vegetables and flesh, we learn from Genesis that so early as the time of Isaac it was customary to prepare soup of lentils (Gen. xxv. 29, 34) and flesh (xxvii. 14) in very palatable ways. Vegetables, pulse, and herbs were cooked in pots (סִיר, 2 Kings iv. 38; פָּרוּר, Num. xi. 8; Judg. vi. 19; דּוּד, 1 Sam. ii. 14), and seasoned with oil. The flesh was either roasted on a spit at the fire (צָלָה, 1 Sam. ii. 14; Isa. xliv. 16) (7), or also cooked in pots or kettles (כִּיּוֹר or

קְלַחַת, 1 Sam. ii. 14; 2 Chron. xxxv. 13), then lifted out with a fork (מִסְלֹג) with three prongs (שְׁלֹשׁ שִׁנַּיִם, 1 Sam. ii. 13), and brought to table with the broth (מָרָק, Judg. vi. 19). The Israelites seem also to have boiled the flesh of young animals in milk, and in this connection it is forbidden to seethe a kid in its mother's milk (Ex. xxiii. 19) (8).

Cooking utensils were partly of clay (חֹמֶר, Isa. xxix. 16; כְּלֵי חֶרֶשׂ, Lev. vi. 21), partly of copper (vi. 21), frying-pans of tin (Ezek. iv. 3) (9).—Baking, roasting, and boiling formed the business of the women and female slaves (Gen. xviii. 6; 1 Sam. viii. 13; 2 Sam. xiii. 8); in the houses of the upper classes there were also special cooks (טַבָּחִים, 1 Sam. ix. 23 f.), and in the larger cities also bakers (Hos. vii. 4).

(7) Roasting on a spit was perhaps the oldest way of cooking flesh (comp. Jahn, *Bibl. Archäol.* i. 2, p. 193 f.), but less common among the Israelites than boiling; so that roast flesh was eaten only by the richer and better classes (1 Sam. ii. 15), as is still the case in the East. Only the paschal lamb was to be always wholly roasted (comp. § 81).

(8) The reason of this frequently inculcated prohibition is obscure, and even the explanation disputed (see the various explanations in Bochart, *Hieroz.* i. p. 723 ff.). The connection of this prohibition, sometimes with the command regarding the offering of firstlings (Ex. xxiii. 19 and xxxiv. 26), sometimes with the prohibitions of unclean meats (Deut. xiv. 21), seems to point to the fact that it was a custom common in the sacrificial meals of other peoples, which is interdicted to the Israelites, not so much because it was also associated with superstitious notions (Knobel on Ex. xxiii. 19), as from tenderness for animal nature. The seething of the kid in milk is mentioned by Aben Ezra and Abarbanel as practised by the Arabs of their time, and at the present day the Arabs often seethe lamb in sour milk, which gives it, it is thought, a peculiar flavour (comp. Berggren, *Reisen*, i. p. 327 f.; and Buckingham, *Syr.* ii. p. 92).

(9) For full information regarding cooking utensils, see in Jahn, *Bibl. Archäol.* i. 2, p. 185 ff. Regarding Egyptian cooking apparatus, comp. Herm. Weiss, *Kostümkunde* (Stuttg. 1860), i. p. 101 ff.; for Assyrian, *ibid.* p. 241 f.; the description of old Egyptian cooking, see in Wilkinson, ii. p. 374, with the engravings, pp. 383, 385, and 388.

§ 100 *Meal Times and Banquets.*

Besides a simple breakfast in the morning (John xxi. 12), the Israelites had two daily meals, at mid-day (Gen. xviii. 1, xliii. 16, 25; Ruth ii. 14; 1 Kings xx. 16; comp. Luke xiv. 12) and toward evening (Gen. xix. 1 ff.; Ruth iii. 7), neither being reckoned the chief meal (1). Before and after eating they were accustomed to wash their hands (Matt. xv. 2; Mark vii. 2 f.; Luke xi. 38) (2), and to say grace (בְּרָכָה, 1 Sam. ix. 13; *εὐλογία*, *εὐχαριστία*, Matt. xiv. 19, xv. 36; Luke ix. 16; John vi. 11). In the older time the custom was to sit at table (Gen. xxvii. 19; Judg. xix. 6; 1 Sam. xx. 5, 24; 1 Kings xiii. 19) (3). Not till later was it usual to recline on cushions or divans (*ἀνακεῖσθαι*, *κατακεῖσθαι*, *ἀνακλίνεσθαι*, *κατακλίνεσθαι*), no doubt first at feasts (Amos vi. 4), then also at simple meals (Luke xvii. 17). From three to five persons reclined on a cushion, supporting themselves on the left arm, and stretching out the feet behind them, so that the one lying to the right had the back of his head toward the breast of his neighbour on the left, a place given to the friend most loved (*ἀνακεῖσθαι ἐν τῷ κόλπῳ*, John xiii. 23, xxi. 20) (4).

(1) Like the ancient Greeks and Romans, among whom, however, in course of time, the mid-day meal (*δεῖπνον*) became a breakfast (*ἄριστον*, *prandium*), and the *δόρπον*, as *δεῖπνον*, *cœna*, became the chief meal. Comp. Hermann, *Lehrb. d. griech. Antiq.* iii. pp. 73, 76. Becker, *Charikles*, ii. p. 234 ff., and *Gallus*, iii. p. 174 ff.

(2) The washing of hands, though it cannot be proved from passages of the Old Testament, was necessary, from the earliest times, on the ground of cleanliness, because food was lifted to the mouth with the fingers; and hence it was customary among Greeks and Romans, and is so among Orientals to the present day (Winer, *R. W.* ii. p. 47 f.). The Rabbins, however, insist on it only in the case of a full meal, where there is the eating of bread (Luke xi. 18; Matt. xv. 20). Comp. Saalschütz, *Archäol.* i. 140.

(3) So the ancient Greeks and Romans in earlier times; comp. Hermann, *ubi supra*, p. 128. Becker, *Charikl.* ii. 244; *Gallus*, iii. p. 205; and the ancient Egyptians, as appears from the monuments; comp. Wilkinson, ii. p. 392. The women and children continued this habit after the men had changed it for

reclining. The Rabbins held it to be improper for women to eat reclining (Isador. *Origg.* xx. 11. 9); and neither does it seem to have prevailed among the Israelites, though the παρακαθίζειν πρὸς τοὺς πόδας, Luke x. 39, is no proof for it, because this was not connected with eating. On the other hand, at the banquets of the ancient Persians, the women also reclined, as is clear from Esth. vii. 8.

(4) Hence the prophet Amos (vi. 4) describes luxurious revellers as: "Them that lie on beds of ivory, and are stretched (סְרָחִים) on their couches." In the matter of these cushions great luxury was indulged, especially by the later Greeks and Romans; comp. Hermann, *ubi supra*, p. 128; and Becker, *Gallus*, iii. p. 204 ff. As having been originally intended for three persons, they were called *triclinia*, a name which afterwards generally denotes the combination of three κλίναι, *lecti*, for a company, and also the banqueting-room itself. Accordingly, the president was called ἀρχιτρίκλινος (John ii. 8).—The modern Orientals sit with legs crossed beneath them on their heels, round a table formed of a large round tray of tinned copper placed on a stool about a foot high, on which the food is placed (comp. Robinson, *Pal.* ii. p. 86); or merely a round piece of leather (*sufra*) or a cane mat is spread on the floor in the middle of the room, or on a stool-like table, which is provided with rings at the edge so that it can be drawn together like a bag after the meal, and hung up on a nail. Comp. Harmar, *Beobacht.* ii. p. 453; and Winer, *Realwörtb.* ii. p. 48, note 10.

The food was determined by the means of the family. While the poorer classes were satisfied with bread dipped in vinegar, milk, and parched corn (Ruth ii. 14), the well-to-do had on their tables, besides bread and other baked meats, boiled flesh, lentils, beans, and other vegetables, honey, milk, wine, raisins, figs, parched kernels, and other fruits; and on the tables of the rich there were, besides, roast of fatted cattle, various kinds of venison, and fowls (5). Meats were in general prepared solid,—soups were unknown to the Israelites, —so that the pieces of flesh and vegetables were lifted to the mouth with the fingers from the dish on a piece of bread, which served as a plate (Prov. xix. 24, xxvi. 15).—Spoons, knives, and forks were not used at table, as they are unused at the present day by most Orientals (6).—Wine was drunk during, but chiefly after the meal (7).

(5) The common food of the Israelites is seen from the

provision which David at different times received during his flight, as from Abigail, two hundred loaves, two bottles of wine, five dressed sheep, five measures of parched corn, a hundred cakes of raisins, and two hundred of figs (1 Sam. xxv. 18, with which comp. 2 Sam. xvi. 1 ff., and xvii. 28 f.).—What was served at the tables of kings and princes appears from 1 Kings v. 2 f. (iv. 22), and Neh. v. 18. That roasted flesh was preferred to boiled, is evident from 1 Sam. ii. 15.

(6) See the proofs in Winer, *R. W.* ii. p. 49. Knives (מַאֲכֶלֶת, Gen. xxii. 6, 10) and forks (מִזְלָג) were used only in the kitchen to carve and prepare the pieces of flesh (1 Sam. ii. 13 f.).

(7) The ancient Egyptians (Herod. ii. 78) and Persians (Herod. v. 18), with the Greeks (Becker, *Charikl.* ii. p. 270), did not drink wine till they had finished eating, as is still generally the case among the Persians and Arabs (Winer, *R. W.* ii. p. 49). In Mischna (*Berach.* vi. 5, viii. 8) the drinking of wine before and after food is assumed as customary.

The feasts which were given, sometimes in honour of friends, sometimes on important family occasions and in other connections, as well as on holidays, were distinguished from common meals, partly by the number of invited guests (Gen. xxix. 22; 1 Sam. ix. 22; 1 Kings i. 9, 25; Luke v. 29), partly by the variety and richness and goodness of the meats and drinks (1 Kings i. 25; Isa. xxv. 6; Amos vi. 4; Matt. xxii. 4) (8).—The guests were invited by slaves (Prov. ix. 3; Matt. xxii. 3 f.), kissed on their arrival (Tob. vii. 6; Luke vii. 45), their feet washed (Luke vii. 44) (9), the hair of the head and beard anointed (Ps. xxiii. 5; Amos vi. 6) (10), and their places assigned them according to rank (1 Sam. ix. 22; Luke xiv. 8; Mark xii. 39). If the master of the house wished to show special honour to any of his guests, particularly choice pieces were set before them (1 Sam. ix. 24), sometimes double (1 Sam. i. 5), and even fivefold portions (Gen. xliii. 34).—In the houses of the common people the women and children also took part in the feast (1 Sam. i. 4; John xii. 3), and men-servants and maid-servants, Levites, strangers, widows, and orphans were to be admitted to the sacrificial meals (Deut. xvi. 11, 14). Conversation was enlivened by jests and riddles (Judg. xiv. 12 ff.), and only when feasts—an evil which the prophets frequently condemn—degenerated into dissolute drinking bouts, were they often prolonged with music and singing far into the

night (Isa. v. 12; Amos vi. 5; Ps. lxix. 13; Sir. xxxii. 7). In these, however, it is unlikely that women took part (11).

(8) That the drinks at feasts were not unimportant, appears from the name מִשְׁתֶּה, which occurs so early as in Gen. xxi. 8, xxix. 32.

(9) This custom, common also in ancient Greece (comp. Hom *Odyss.* iii. 464; and Becker, *Charikl.* ii. p. 247), is still found here and there in Palestine (comp. Robinson's *Palestine*, ii. 229 f.).

(10) The Greek custom of presenting the guests with garlands of flowers (Becker, *Charikl.* i. p. 181 ff.) cannot be proved, as Winer (*R. W.* i. p. 392) attempts to do from Isa. xxviii. 1, Wisd. ii. 7 ff., to have been common among the Israelites. It was adopted by the later Jews along with other Greek customs (Joseph. *Antiq.* xix. 9. 1).

(11) In general the feasts of the Israelites were simple. No doubt under the kings, with growing prosperity and luxury, riotous banquets were not unknown. But dissoluteness and drunkenness were first spread among the Jews by Greeks and Romans, so that at such entertainments female dancers were admitted (Matt. xiv. 6) and licentiousness prevailed (Philo, ii. p. 477 sq.). No doubt also the κῶμαι and *comissationes* of the Romans were imitated, against which the apostles warned Christians, Rom. xiii. 13; Gal. v. 21; 1 Pet. iv. 3. More particular information regarding them will be found in Becker, *Gallus*, i. p. 181 ff.; *Charikl.* i. p. 166 ff., and ii. p. 270 ff.

THIRD CHAPTER.

THE CLOTHING OF THE ISRAELITES.

§ 101. *Its general Character.*

The first human clothing consisted of the skins of beasts (כָּתְנוֹת עוֹר, Gen. iii. 21); but from the most ancient times, wool, flax, and cotton were wrought into clothing. The use of sheep's wool is undoubtedly as old as the rearing of sheep, certainly older than the preparation of cotton (byssus) and of flax for this purpose (1).—Regarding the clothing of the patriarchs and ancient Israelites we have no exact information; yet, on the whole, it unquestionably resembled that of the ancient Orientals and Ionians, and was tolerably simple,

as is still the case among the roving Arabs; it no longer, however, consisted of skins, but was already made of woven stuffs (2). Men and women wore, as they do still in the East, pretty nearly the same dress; but there was an easily recognisable distinction between the male and female attire of the Israelites, and accordingly the Mosaic law forbids men to wear women's clothes, and *vice versa*, Deut. xxii. 5. Besides this, the use of wool and flax (linen) in the *same* piece of dress is forbidden (Lev. xix. 17; Deut. xxii. 11). Both prescriptions flow from *one* principle. They are intended to prevent the mixing of what is heterogeneous, as a disturbance and confusion of the order and distinctions made by God, which Israel as God's people should regard and observe (3).

The making of clothes among the Israelites was always the business of the housewives, in which women of rank equally took part (1 Sam. ii. 19; Prov. xxxi. 22 ff.; Acts ix. 39). So early as patriarchal times, clothing was no longer limited to what was indispensable to cover nakedness. Already there were various forms of clothing (Gen. xxiv. 53 and xxxvii. 3), and costly garments of byssus (Gen. xli. 42, xlv. 22). For even then in Egypt the arts of spinning, weaving, and embroidery in gold were carried to great perfection. The Israelites learned them during their stay there (1 Chron. iv. 21), and afterwards used them successfully in the making of curtains for the tabernacle and of the priestly garments (Ex. xxxv. 25 ff.) (4). Common clothing, however, remained simple for centuries. Not till the time of the kings did luxury increase (2 Sam. i. 24; Isa. iii. 18 ff.; Jer. iv. 30; Ezek. xvi. 10; Lam. iv. 5), and it prevailed among the Jews down to the apostolic age (1 Tim. ii. 9; 1 Pet. iii. 3; Jas. v. 2).

(1) The choice of stuffs for clothing always depended chiefly on the pursuit by which men gained their living. Hence for hunters and shepherds it was the skins of the animals shot or slaughtered. But the use of cotton and flax for clothing goes back to the highest antiquity. In ancient Egypt cotton was indigenous; flax also was cultivated from the earliest times (comp. Rossellini, *monum. civ.* i. p. 333 sq.; Wilkinson, iii. p. 137). The ancient Egyptians prepared the most various tissues from cotton and flax for coarser and finer garments. "The fame of Egyptian weaving is lost in myth. The goddess

Neith (Athene, Minerva) was regarded as the inventor" (Weiss, *Kostümk.* i. p. 32). In Western Asia also, the cotton cultivated from primitives times, partly in Babylonia, partly in Syria, partly imported from India, had led very early to the artistic working of it into various fabrics. Such garments were also preferred by the Babylonians and Assyrians. Along with cotton, flax was no doubt also used by them in the earliest times to make linen garments (Weiss, p. 194).—In the Old Testament, so early as Gen. xxxi. 19, xxxviii. 12 f., we read of sheep-shearing; and the cultivation of flax was carried on in Jericho in the days of Moses (Josh. ii. 6).—Among the Greeks the Homeric time is familiar only with wool for men's clothing; and even for that of women we read but rarely of fine linen (λεπτὰς δθόνας), *Iliad*, iii. 141, xviii. 595. Comp. Becker, *Charikl.* iii. p. 189.

(2) The first step towards clothing consisted of a covering for bodily nakedness or shame by a meagre apron for the loins (Gen. iii. 7). Many savage peoples content themselves with such a covering at the present day (comp. Peschel, *Völkerk.* p. 176 ff.), as well as the lower classes in hot countries. "The loin cloth," the oldest, and originally the only piece of clothing, remained the proper national dress of the Egyptians. It is still so among the natives of the land of the Nile. The dress of the men on the monuments of the earliest times consists almost entirely of the apron. Its material, and greater or less width, denoted profession and rank. The dress of the (Egyptian) women was in the earlier periods essentially different from that of the men. The ethical feeling of the Egyptians demanded of the female sex a fuller covering of the body than the simple apron of the male provided. The oldest and the national dress of the women was formed of a (perhaps elastic) woven garment which wholly covered the body from the breast to the feet, and was held up by shoulder-bands. Sometimes it had also short close-fitting sleeves (comp. Weiss, pp. 23 and 38, with illustrations).—On the other hand, the climate of Western Asia rendered it needful to have a covering better protecting the body. The most widely spread dress of the Western Asiatics of the earliest times consisted of a shirt-like garment, which some of the Arabs use as their only dress at the present day. This garment, made of wool or cotton, perhaps also of linen, and of various colours, was worn sometimes longer, sometimes shorter, and often fastened round the loins with a girdle. Among the upper classes it reached down to the feet (comp. Weiss, p. 193 ff.). To this there were soon added upper wrappings, generally consisting of a piece of cloth wound round the body.

(3) Cloth made of a mixture of linen and wool is called שַׁעַטְנֵז, LXX.: κίβδηλον, the meaning of which is uncertain. Comp. Gesen. *Thes.* p. 1456. The principle at the root of this prohibition is clear from the context, where the mixing of other heterogeneous things is forbidden. But even in the case of the other, regard to the distinction of sexes ordained by God forms the proper foundation of the command. We need not, however, exclude the purpose of preventing unchastity and sexual licence as a subordinate element, indicated by the clause: "For whosoever doeth these things is an abomination to Jehovah." On the other hand, it is entirely foreign to the passage to suppose, as is done by Maimonides, *More Nevoch.* iii. 37, p. 447; Spencer, *De legg. Hebr. rit.* lib. ii. c. 29; Clericus, etc., any definite opposition to the immoral practice prevailing in Egyptian and Syrian Aphrodite-worship, according to which women brought offerings in men's clothes, and men in women's.—Regarding leprosy in clothes, see vol. i. p. 372 f.

(4) Comp. Hengstenberg, *die BB. Mos. u. Æg.* p. 143 f.

§ 102. *The Dress of Males.*

To the simple dress (מַלְבּוּשׁ, תַּלְבּוּשֶׁת) of the Israelites there belonged, as essential parts, a tunic, which was put on, and an upper dress, which was thrown round the person (1). The *tunic*, or under dress (כְּתֹנֶת, פְּתֹנֶת, χιτών, *tunica*), was a dress with sleeves of wool or cotton, generally worn on the naked body as a shirt, close-fitting, and reaching to the knees (2). It was fastened round the loins with a *girdle* (חֲגוֹר, חֲגוֹרָה, אֵזוֹר, ζώνη), sometimes of leather (2 Kings i. 8; Matt. iii. 4), sometime of linen (Jer. xiii. 1) (3). Over it was cast the *upper dress* (שִׂמְלָה, יַשְׁלְמָה, כְּסוּת, בֶּגֶד, ἱμάτιον), which no doubt originally consisted only of a large square piece of cloth (4), and served the poor also as a bed-cover (Ex. xxii. 25 f.). The four ends, or corners, were each to be furnished, according to Num. xv. 38, Deut. xxii. 12, with a tassel (tuft, צִיצִית) on a cord of blue (פְּתִיל תְּכֵלֶת), that Israel, looking to these tassels, might be reminded of Jehovah's commands (5). *Hose*, or trousers, were not worn by the Israelites (6). The covering for the feet were *sandals* (נְעָלַיִם, ὑποδήματα, σανδάλια) of leather, which were fastened with thongs (שְׂרוֹךְ), and were taken off on entering a room or a holy place (Ex. iii. 5; Josh. v. 15); while the poor and mourners went barefoot (2 Sam. xv. 30;

Ezek. xxiv. 17, 23; Isa. xx. 2) (7). Lastly, the head-dress was a *cap* (מְנִפְעָה) or turban of various forms, which can no longer be exactly ascertained; while poor people, when at work, probably only tied up their hair with a band (8).

(1) The dress of the ancient Greeks also consisted of these two pieces, which admit of being classed under the two ideas of putting on and throwing round, ἐνδῦναι and ἐπιβαλέσθαι, *indui* and *amiciri*. Hermann, *ubi supra*, pp. 93 and 95. Becker, *Charikles*, iii. p. 159: ἐνδύματα and ἐπιβλήματα or περιβλήματα.

(2) Whether the kethoneth at first and always had sleeves is open to doubt. The χιθών or χιτών of the ancient Greeks, especially of the Dorians, was only a short woollen shirt with arm-holes; which not till a later time were lengthened and narrowed to actual sleeves. Hermann, p. 93; Becker, *Char.* iii. p. 159. Among the Israelites, too, the kethoneth varied according to times, relations, and professions. That of the priests was a long tunic descending to the ankles, and provided with sleeves reaching to the hands, over which they wore nothing when ministering (§ 34). But in the case of the common Israelites it cannot, as a rule, have been much more than a short shirt, such as is still worn by the common Arabs (Niebuhr, *Reise*, i. p. 282, taf. 56), while the man who only wore this under dress without a girdle was counted naked (1 Sam. xix. 24; Isa. xx. 2; John xxi. 7); as among the Greeks, also, any one going merely in his χιτών was called γυμνός (Hermann, *ubi supra*, p. 93). Saalschütz, *Archäol.* i. p. 9, is mistaken when he infers from Ex. xxii. 26 that the poorer people had no kethoneth, and wore the *simla* on their naked body. Comp. to the contrary, Leyrer in *PRE.* vii. 726.—Regarding mourning dress, שַׂק, comp. § 115.

(3) The girdle served not only to confine the dress, so as not to be in the way of walking or working, but also to draw up long trailing garments, whereby a sort of pouch (κόλπος) was formed. It also served to keep money (Matt. x. 9); further, for girding the sword on the thigh (Judg. iii. 16; 2 Sam. xx. 8); and for attaching writing materials (Ezek. ix. 2), as is still done in the East. Comp. Rosenmüller, *Schol. ad h. l.*, and *A. u. N. Morgenl.* iv. p. 323. Regarding the costliness in which Orientals indulge in the matter of the girdle, comp. Jahn, *Bibl. Archäol.* i. 2, p. 80 ff.; Winer, *R. W.* i. p. 448.

(4) Corresponding to the *Heik* of the modern Arabs, about six yards long and three broad (comp. Faber on Harmar's *Beob.* ii. p. 407; Niebuhr, *Beschr. v. Arabien*, p. 62), and to the ἱμάτιον of the Greeks (comp. Hermann, *ubi supra*, p. 93). This dress is thrown round the body (like the shawls of our ladies) in such

a way that two opposite corners (כְּנָפוֹת) are tucked under the arms, and the dress, with the two other corners, hung over the back, like that of the Arabs represented in Niebuhr's *Reise*, i. p. 196, on taf. 29. Or it is hung on the left shoulder, the corner drawn over the back, the front one over the breast and lower part of the body, and both bound under the right arm; or they are fastened with hooks and clasps, as is shown in the representations on the ruins of Persepolis, in Chardin, *Voyage*, ii. p. 100, tab. 64; and in Niebuhr, *Reise*, ii. p. 130, taf. 22, Nr. 8, and p. 132, taf. 23, Nr. 6; and those of the Arab in Nieb. *Reise*, i. p. 268, taf. 54. Dress mantles were always fastened with golden clasps (πόρπη, 1 Macc. x. 89, xi. 58).—The bunchy fold in front of the breast (חֵיק, bosom), into which idlers thrust the hand (Ps. lxxiv. 11), was used as a pocket or bag, in which flesh, bread, grain, and other kinds of food were carried (2 Kings iv. 39; Hag. ii. 12; Luke vi. 38). Or the dress was used as a napkin—dough, grain, and other things being emptied into it, bound at the corners, and the bundle carried on the shoulders (Ex. xii. 34; Ruth iii. 15; Judg. viii. 25; Prov. xxx. 4), as is still done by the Easterns. Comp. Shaw, *Travels;* Höst, *Nachr. v. Maroko*, p. 116.

(5) These tassels, τὰ κράσπεδα, Matt. ix. 20, Luke viii. 41, are called in Deut. xxii. 12, גְּדִלִים, because they were made of twisted threads. The thread was blue in colour, because the tassels were intended to serve as a memorial of the heavenly origin of the commandments. For the Rabbinical ordinances on the subject, see Carpzov, *Apparat.* p. 197 sqq. Modern Jews wear two talliths (טַלִּית) with such tassels, the one under the robes, the other on certain feast days in the synagogues. Comp. Bodenschatz, *Kirchl. Verfass.* iv. p. 9 ff.—Tassels at the corners of the upper dress are found also on some of the figures from Persepolis in Niebuhr's *Reise*, p. 130, taf. 22, Nr. 2–4.

(6) Except the drawers of the priests (see vol. i. p. 214), there is not a trace of trousers, which were also unknown to the ancient Greeks, and are little worn by the Arabs to the present day (Niebuhr, *Beschr. v. Arab.* p. 65), though they are pretty widely spread in the modern East among men and women, and even on the ruins of Persepolis many of the figures have them. Comp. Ed. W. Lane, *Manners and Customs of the Ancient Egyptians*, i. p. 33 ff.—It is related of the Persians and Medes by Herod. v. 49; Xenoph. *Cyrop.* viii. 3. 13; Strabo, ii. 536, that they wore long wide hose, ἀναξυρίδες, which, however, are not intended by סְרְבָלִים (Dan. iii. 21, 27), for this word denotes underclothes (shirts) worn on the naked body.—See my commentary on Dan. iii. 21.

(7) This we find on the figures of Persepolis, among the Greeks and in the East at the present day; comp. Jahn, p. 98 ff.; and Hermann, p. 94.—Men of rank had these sandals put on and fastened, unloosed and carried after them by slaves, Matt. iii. 11; Mark i. 7; John i. 27. The sandals of the Assyrian kings were of wood or leather, and had a border of the latter material which covered the hooks and the sides of the foot, leaving bare, however, the front and toes, over which the thongs were fastened; comp. Layard, *Nineveh and its Remains*, ii. p. 324, and fig.; and Weiss, *Kostümk.* i. p. 205. —On some Greek pictures there are found actual lacing boots (comp. Hermann, p. 39). For more on the subject, see Ant. Bynæi, *De calceis Hebr.* libri ii., Dordr. 1682, 1715; and other writings in Winer, *R.W.* ii. p. 428 f.

(8) The words for head-dress which occur in the Old Testament, צָנִיף, Job xxix. 14; פְּאֵר, Isa. lxi. 3, 10, belong to the dress of men of rank, and מִגְבָּעָה is found only in speaking of the priest's cap, so that the common Israelites as a rule seem not to have worn any cap, but to have confined their hair with a band or wrapped a cloth round the head, as is still done in Arabia; comp. Niebuhr, *Reise*, i. p. 292, and *Beschr. v. Arab.* p. 64. The ancient Greeks also only used a head-dress in special cases (Hermann, p. 94). On the Assyrian and Persepolitan monuments, besides various flat and pointed caps and turbans, we frequently also find the hair confined only with a band; comp. Niebuhr, *Reise*, ii., taf. 21, 22, especially 22, Nr. 9; 23, Nr. 5, 6, 11; Layard, *Nineveh*, figs. on p. 320; and Weiss, *ubi supra.*—The Babylonian turbans were called טְבוּלִים, *tiaræ tinctæ*, Ezek. xxiii. 15. The modern Arabs have various and sometimes costly kinds of turbans, generally bound with a piece of muslin. See the representation of forty-four kinds in Niebuhr's *Reise*, i. p. 159 ff., taf. 19–23.

To this simple clothing several, and sometimes costly, pieces of dress were early added. The coat was beautified by the wealthier classes till it became a long, many-plaited robe reaching to the ankles, with long sleeves covering the hands (כְּתֹנֶת פַּסִּים, *tunica talaris et manicata*, Gen. xxxvii. 3) (9). To this was added a fine shirt woven of linen or cotton, סָדִין (Judg. xiv. 12 f.; Isa. iii. 23; Prov. xxxi. 24), which was worn under the tunic (10), and a second longer under dress without sleeves, מְעִיל, over the tunic (1 Sam. xviii. 4, xxiv. 5, 12; comp. xv. 27; Job i. 20) (11). Still more diversified were the upper dresses in material, colour, and richness.

There are mentioned, אַדֶּרֶת, a wide cloak with folds, partly of hairy skin or fur (אַדֶּרֶת שֵׂעָר, Gen. xxv. 25; μηλωτή, Heb. xi. 31), and worn by prophets (1 Kings xix. 13.; 2 Kings ii. 13 f.; Jonah iii. 6; Zech. xiii. 2), but often wrought in various colours of costly material, and brought from Babylon (Josh. vii. 21) (12); and other garments of fine byssus and purple, also embroidered with gold (Ezek. xvi. 10; Eccles. ix. 8), which were sometimes made by Israelitish women (Prov. xxxi. 22), sometimes brought from abroad (Zeph. i. 8), and because they were often changed during marriages and other festive occasions, they were called *garments of change*, חֲלִיפוֹת, εἵματα ἐξημοιβά, *Odyss.* viii. 249; χιτῶνες ἐπημοιβοί, xiv. 514. Kings and men of rank had always a large wardrobe of these (מַלְתָּחָה), partly for their own use (Prov. xxxi. 21; Job xxvii. 16; Luke xv. 22), partly to give away in presents (Gen. xlv. 22; 1 Sam. xviii. 4; 2 Kings v. 5, x. 22; Esth. iv. 4, vi. 8, 11) (13).

(9) For this meaning of כְּתֹנֶת פַּסִּים, *Aquil.* χιτὼν καρπωτός, *Symm.* χειριδωτός, Braun, *Vestit. sacerd.* i. c. 17, § 279 sqq., and Schroeder, *Vestit. mul.* p. 246, most moderns have rightly decided against the other: χιτὼν ποικίλος, LXX. in Gen. (on the contrary, 2 Sam. xiii. 18, χιτὼν καρπωτός); Vulg.: *tunica polymita*; Luther: *bunter Rock*.—The פַּטִּישׁ, Dan. iii. 21, was a Chaldee dress, probably the κιθὼν ποδηνεκὴς λίνεος or κιθὼν εἰρινέος of Herod. i. 195.

(10) On סָדִין, סְדִינִים, only thus much is certain—(*a*) that the Greek σινδών corresponds to it, for σινδών is in any case a foreign manufacture, and the derivation of the *Etymol. Magn.* Σινδὼν ἀπὸ Σιδῶνος τῆς πόλεως, is certainly false; (*b*) that it denotes a dress of white linen or fine cotton. For the סְדִינִים, Judg. xiv. 12 and Isa. iii. 23, are undoubtedly pieces of dress, like the σινδών in Mark xiv. 51. But it remains doubtful whether the סָדִין was worn as a shirt on the naked body. This rests only on the exposition of Kimchi (Gesen. *Thes. s.v.*), and cannot be established either from the Old Testament or from Mark xiv. 51, where the περιβεβλημένος σινδόνα, notwithstanding the ἐπὶ γυμνοῦ, does not apply to a shirt which is *put on*, but to a piece of dress *thrown round* the body. That סָדִין and σινδών as a rule were of linen is evident, partly from the comparison of Matt. xxvii. 59; Mark xv. 46; Luke xxiii. 53: ἐνετύλιξεν αὐτὸ σινδόνι, with John xix. 40: ἔδησαν αὐτὸ ὀθονίοις, partly from Photii *Lexicon*, p. 512: σινδονίτης χιτὼν λινοῦς, and other statements of Greek

authors in Becker, *Charikl.* iii. p. 139. But since Herodot. ii. 86 and vii. 181, also speaks of σινδὼν βυσσίνη, there is no doubt that cotton fabrics also were called by the same name (Becker, *ubi supra*).—Schroeder treats exhaustively of סָדִין, *Vestit. mul.* pp. 339–361.

(11) In more ancient times worn only by kings, princes, and men of rank, made of byssus (1 Chron. xv. 27), hence also a piece of the high priest's dress (see vol. i. p. 217). As the high priest's servant, Samuel also has a מְעִיל, and a white ephod, אֵפוֹד בָּד, 1 Sam. ii. 18 f. Saalschütz, *Archæol.* i. p. 14, is entirely mistaken when he concludes from this passage and from 2 Sam. vi. 14, according to which David, when solemnly bringing the ark into the city, wore a white ephod like the priests (1 Sam. xxii. 18), that the ephod in the later dress of males was the upper kethoneth.

(12) The prophets' mantle was probably, as a rule, a simple sheepskin, with the wool turned outwards, as it is to be seen on the figures from Persepolis in Chardin, *Voyage*, ii. p. 144, tab. 58; comp. iii. 245. The Babylonian cloaks, on the other hand, were sometimes costly, and woven of various colours or embroidered (Plinii *hist. nat.* viii. 48; comp. my comment. on Josh. vii. 21), sometimes artistically prepared fur mantles, such as are worn by Easterns of higher rank at the present day even in summer (comp. Harmar, *Beob.* iii. p. 4; Russel, *Natural History of Aleppo*, i. p. 127; Niebuhr, *Reise*, i. p. 158, ii. 235, 317).—In Chaldee the cloak is called כִּרְבְּלָא (wrapping), Dan. iii. 21; and the Persian war-cloak of byssus and purple, תַּכְרִיךְ, Esth. viii. 15.

(13) Comp. Harmar, ii. p. 112 f., iii. 186 ff.; Winer, *R. W.* i. p. 662; and Leyrer in *PRE.* vii. p. 723.

Silk stuffs also, σηρικόν (Rev. xviii. 12), do not seem to have been unknown to the Israelites, called, however, not חוּר, Esth. i. 6, viii. 15 (Hartmann, *Hebräerin am Putztisch*, iii. p. 409), but מָשִׁי, Ezek. xvi. 10, 13, as explained by the Rabbins, though the etymology of the word remains doubtful. Comp. Gesenius, *Thes.* p. 824; and Fürst, *Hebr. u. Chald. Handwörterb.* p. 796.—Schroeder sought to establish this explanation at length, *Vestit. mul.* p. 325 sqq.—Though silk dresses were not introduced into Greece till a late period (Becker, *Charikl.* iii. p. 190 ff.), the use of them among Asiatics goes back to high antiquity, for the ἐσθῆτες Μηδικοί (Herod. iii. 84, vii. 116), according to Procop. *Pers.* i. 20, were of silk. Comp. Bähr on Herod. iii. 84; Heeren, *Ideen*, I. i. pp. 113, 214 ff.; and Weiss, *Kostümk.* i. p. 194.

Under the Israelitish kings the officials of the palace had a special כְּתֹנֶת with אַבְנֵט, as their dress of office (Isa. xxii. 21).—

In the Apocrypha and New Testament there are some Greek and Roman pieces of dress mentioned: χλαμύς, 2 Macc. xii. 35, the cloak of the Greek horseman or soldier, which was fastened on the right shoulder (sometimes over the breast), and reached to the knee (Becker, *Charikl.* iii. p. 174). The χλαμὺς κοκκίνη (Matt. xxvii. 24) is a woollen scarlet cloak, such as was worn by Roman generals and officers, and also by the emperors from the time of Diocletian. Finally, φαιλόνης (2 Tim. iv. 13), *pœnula*, is a travelling cloak, and waterproof, without sleeves, provided only with an opening at the neck, and a hood to cover the head, which was worn by men and women over the tunic; see Becker, *Gallus*, iii. 121 f.

§ 103. *The Dress of Women.*

Israelitish women (1) also wore a kethoneth (Song of Sol. v. 3) as an *under dress* like the men, but no doubt, as a rule, wider, longer, and of finer material; the well-to-do also *shirts* (כְּתֹנֶת) of fine white linen (Isa. iii. 23), and above these also wider under garments with sleeves (מְעִטָפוֹת, Isa. iii. 22) (2).—The *girdle* (קִשּׂוּרִים, Isa. iii. 22), frequently of fine woven stuff (Prov. xxxi. 24), and an article of female ornament (Jer. ii. 32), was worn lower down on the loins, and more loosely.—The *upper dress*, מִטְפַּחַת, Ruth iii. 15, *palla*, was broad in the folds and long, often scarlet (2 Sam. i. 24), of costly material, and embroidered with various colours, רִקְמָה (Judg. v. 30; Ps. xlv. 15) (3).—The *sandals* were often of Thachasch, *i.e.* sealskin (Ezek. xvi. 10), probably also of coloured leather or morocco (4).—The *head-dress* of the common Israelitish women is unknown. Turbans (צָנִיף, Isa. iii. 23) and nets (שְׁבָכִים, *cauls*, iii. 18) were a luxury of the upper classes. Only the *veil* was regarded from ancient times by women of character as indispensable, and various kinds of them are mentioned (צָעִיף, רְעָל, רְדִיד) (5).

(1) Comp. Nic. Guil. Schroeder, *Commentar. phil. crit. de restitu mulierum Hebr.* on Isa. iii. 16–24, with preface by A. Schultens, Ultraj. 1776, 4; and A. Th. Hartmann, *Die Hebräerin am Putztisch und als Braut*, Amsterdam 1809 f., 3 Bde. 12.

(2) According to Schroeder, *l.c.* p. 128 sqq., מעטפות denotes *tunicas*, non tamen interiores, sed *exteriores* et hinc laxiores et longiores, manicatas tamen et zona cingendas ac sub pallio

induendas. According to Hitzig on Isa. iii. 22: "a kind of second upper tunic, a מְעִיל, provided with sleeves and reaching to the ankles; elsewhere בָּתֹּנֶת פַּסִּים, 2 Sam. xiii. 18." Similar was the χιτών of Ionian females (Becker, *Charikl.* iii. pp. 176, 180).

(3) Comp. Schroeder, *l.c.* p. 247 sqq. A broad-plaited cloak is probably also denoted by פְּתִיגִיל, Isa. iii. 24, χιτὼν μεσοπόρφυρος, LXX., a parti-coloured festive dress. Comp. Gesen. *Thes.* p. 1137.

(4) "As also among the Tyrians (Virg. *Aen.* i. 336 sq.), Persians, Greeks, and Romans (Martial, ii. 29. 8), shoes of variously coloured, especially purple leather, also *calcei aurei*, were a favourite article of luxury, the ornament consisting either of the lacings only, or of a kind of leather covering for the sides or uppers (somewhat like slippers)." Winer, *B. W.* ii. p. 428.

(5) In patriarchal times, wives (Gen. xii. 14) and young women (Gen. xxiv. 15 f.) went about, especially when engaged in household duties, without veils, as is still done in Arabia (comp. Wellsted's *Travels;* Robinson, *Pal.* i. 485) and in Palestine (Russegger, *Reisen,* iii. p. 109). Yet in so early times the betrothed veils herself in presence of the bridegroom (Gen. xxiv. 65); and harlots also veiled their faces (Gen. xxxviii. 15). Women of the upper classes seem even then, like the Orientals of to-day (Buckingham's *Travels*), to have worn several veils, one over another, the nature of which, however, it is difficult to determine. The oldest kind seems to be צָעִיף, Gen. xxiv. 65, xxxviii. 14, 19, θέριστρον, LXX., a veil-dress, which at a later time, perhaps made of finer stuff, was called רְדִיד (Song of Sol. v. 7; Isa. iii. 23). According to Jerome, *quæst. in Gen.:* Theristrum pallium dicitur, genus etiam nunc Arabici vestimenti, quo muliers istius provinciæ velantur. On Isa. iii. 23, רְדִידִים, θέριστρα καταάκλιτα (LXX.), he remarks: Habent et theristra, quæ nos palliola possumus appellare, quibus obvoluta est et Rebecca. Et hodie quoque Arabiæ et Mesopotamiæ operiuntur fœminæ, quæ Hebraice dicuntur רדידים, *Græce* θέριστρα. Comp. Schroeder, *l.c.* p. 368 sqq. The רְעָלוֹת, Isa. iii. 19, from רָעַל, *to tremble,* are veils flowing down from the head over the temples, hence waving with the action of walking, which are so adjusted to the eyes as to be seen through. Comp. Schroeder, *l.c.* p. 80 sqq.; and the plates in Jahn, i. 2, taf. 9, fig. 10.— Many also understand צָמָה, Song of Sol. iv. 1, 3, vi. 7, Isa. xlvii. 2, of a veil, and that of one covering breast, throat, and chin, such as is still worn in Syria and Egypt, and is also represented on the figures of Persepolis (comp. Jahn, i. 2, p. 137; and Leyrer

in *PRE.* vii. p. 728). Uncertainty attaches to the meaning: *Hair-plaitings* or queues, according to Kimchi, Jarchi, Schultens, etc. Comp. Hartmann, *Hebräerin*, iii. p. 236 f.—Regarding the veils used in the modern East, comp. Jahn, *ubi supra*, p. 132; and Lane, *Manners and Customs*, pp. 66, 69–73, with illustrations.

§ 104. *Care and adorning of the Body.*

For the preservation and invigoration of the health, the human body needs not only to be purified by *washing* of the members which have been soiled, but also the refreshing of the whole by *baths*. This, which is a natural necessity of man, was greatly furthered among the Israelites by the religious purifications enjoined by the law. For, though these precepts had a higher object (§ 56 ff.), they could not fail to intensify the instinct of cleanliness, and to make frequent washing and bathing an indispensable arrangement of the life.—From early times the Israelites, like other peoples, were accustomed not only to wash the hands and feet before eating (§ 100), but also to bathe the body if they were about to visit a superior (Ruth iii. 3; Judith x. 3), but especially before any religious service (Gen. xxxv. 2; Ex. xix. 10; Josh. iii. 5; 1 Sam. xvi. 5), that they might appear clean before the holy God. The bodily purity was intended to symbolize purity of heart. Hence cleanness of hands was regarded as a symbol of innocence (Ps. xxvi. 6, lxxiii. 13), and the washing of the hands represented the refusal to participate in a wrong or crime (Deut. xxi. 6; Matt. xxvii. 24) (1).—To cleanse the body, snow water was used, or lye put into the water (Job ix. 30) (2).—Bathing in running water was specially favoured (Lev. xv. 13), or in rivers (2 Kings v. 10; Ex. ii. 5); but it was also enjoyed in the house in a bath provided in the court (2 Sam. xi. 2; Susanna 15) (3).

(1) Comp. § 62, note 8. Dougtæi, *Anal. sacr.* i. p. 218; and Winer, *R. W.* ii. p. 313.

(2) According to Mischna *Pesach.* ii. 7, also bran.

(3) Public baths in the cities, such as are found everywhere in the modern East (comp. Winer, *R. W.* i. p. 130), are first mentioned by Josephus, *Antiq.* xix. 7. 5, and in Mischna *Nedar.* v. 5; and among the Jews they were first, no doubt, an imitation

of a Roman and Greek custom. Comp. Becker, *Gallus*, iii. p. 48 ff.; *Charikl.* iii. p. 71 ff.

With washing and bathing, the anointing (סוּךְ) of the body with sweet-smelling oil was frequently conjoined (Ruth iii. 3; Judith x. 3). The ancient custom, spread over all the East, as it was among the Greeks and Romans, of smearing and rubbing the body or parts of it with oil (4), to keep the skin supple, and to moderate the evaporation which is so great in a hot climate, was early in use among the Israelites. It served more to beautify than to strengthen the members of the body. The olive oil was mixed with perfumes (5), and the head regularly anointed, except in times of mourning, but especially on holy days and festive times, with precious oil (Ps. xxiii. 5, xcii. 11; Eccles. vii. 2, ix. 8), often so copiously that it flowed down on the beard (Ps. cxxxiii. 2).

(4) Comp. Herod. i. 195; Strabo, xvi. 746; *Iliad*, x. 577; and Hermann, *ubi supra*, p. 110; Adam, *Röm. Alterth.* ii. p. 807.

(5) This is evident, partly from the prohibition, Ex. xxxii. 32 f., to make the holy anointing oil for common purposes, and therewith anoint the flesh, partly from Job xli. 22, etc. The perfumes for the purpose were brought from abroad (1 Kings x. 10; Ezek. xxvii. 22), and they were mixed or prepared, partly by female slaves (1 Sam. viii. 13), partly by professional mixers (רוֹקֵחַ, Eccles. x. 1; Neh. iii. 8). The most costly unguent was the genuine nard oil, νάρδος πιστική, Mark xiv. 3, 5; John xii. 3, 5 (comp. Winer, *R. W.* ii. p. 137). These mixed sweet-smelling unguents (רֹקַח, μύρον) were articles of luxury, with which pure oil was always used for anointing, Deut. xxviii. 40; Micah vi. 15; Amos vi. 6; Luke vii. 46.

Moreover, the Israelites bestowed special care on the *hair* and *beard*. Thick, abundant hair (פֶּרַע) was regarded as an ornament of the person, and the bald head (קָרֵחַ) was exposed even to insults (2 Kings ii. 23). Long flowing hair, however, was worn only by youths in more ancient times (2 Sam. xiv. 26; Song of Sol. v. 14), and by Nazarites during the term of their vow (comp. § 67). But women always wore it (Song of Sol. iv. 1; Luke vii. 38; John xi. 2; 1 Cor. xi. 15), while the men cut it from time to time with a razor (תַּעַר, מוֹרָה, Ezek. xliv. 20) (6), but without shaving it bare, like the ancient Egyptians and modern Easterns (7). Neither was the

long hair allowed to hang untrimmed, but put up (2 Kings ix. 30; Judith x. 3) in plaits (מַחְלְפוֹת, Judg. xvi. 13, 19) or queues. Fashionable ladies were in the habit of curling artificial locks (מַעֲשֵׂה מְקוּשָׁה, Isa. iii. 24) (8).—The *beard* also (זָקָן, strictly chin-beard, שָׂפָם) was regarded as an ornament, and not shaven, but only clipped now and then, and regularly trimmed (2 Sam. xix. 25) (9).—On the other hand, the law forbids every unnatural disfigurement of the body, such as was counted ornamental by many peoples. This included not only the tattooing or etching in of written characters (כְּתֹבֶת, קַעֲקַע, Lev. xix. 28) (10), but also the deforming of the head by cutting away the hair round it, and of the beard by cutting the corners, *i.e.* the places where the hair of the beard meets that of the head (Lev. xix. 27) (11).—The *painting* of the eyes, used by coquettish ladies to heighten their beauty (2 Kings ix. 30), is censured by the prophets as a sign of pride and wantonness (Jer. iv. 30; Ezek. xxiii. 40) (12).

(6) In the apostolic age, long, uncut hair in men was reckoned a sign of effeminacy, 1 Cor. xi. 14, and was forbidden to the Jewish priests; comp. Othonis, *Lexic. Rabb. phil.* p. 118.

(7) Comp. Gen. xli. 14; Herodot. ii. 35, iii. 12; and Hengstenberg, *BB. Mos. und Æg.* pp. 28 and 73.—The hair costume of the modern Arabs differs in different provinces (Niebuhr, *Beschr. von Ar.* p. 64; and Weiss, *Kostümk.* i. p. 154), but most Orientals have the head shaved pretty bald; comp. Niebuhr, *Reise*, i. p. 159 f., taf. 19–22. — Of the ancient peoples the Assyrians (comp. Layard, *Nineveh*, ii. p. 357) and Babylonians (Herod. i. 195) wore the hair long; Strabo, however, speaks, xvi. 746, of κόμη μικρά, and the heads of the Persepolis figures have short (curly) hair; comp. Niebuhr, *Reise*, ii. 128 and taf. 21.

(8) Though *combs* and *hairpins* are nowhere mentioned in the O. T., but first in the Talmud (*Chelim* xiii. 7; *Schabb.* v. 1), yet combs have been found in the oldest monuments of Egypt, and they must have been known to the Israelites there. Female hairdressers, who are first mentioned in the Rabbinical writings (comp. Lightfoot on Matt. xxvii. 56), may have existed in more ancient times, for in Ezek. v. 1 we read of barbers (גַּלָּבִים).—The fashionable braided hair, in which the Jewesses of a later time probably imitated the style of Roman ladies (comp. Becker, *Gallus*, iii. p. 150 ff.), is censured by the apostles as unsuitable for Christians (1 Tim. ii. 9; 1 Pet. iii. 3). Even men began at that time to curl their hair (Joseph. *Antiq.*

xiv. 9. 4; comp. *de bell. jud.* iv. 9, 10; Philo, *Opp.* ii. 479), a practice, however, which was generally condemned (Philo, ii. 306, 447). But the custom among many ancient peoples of dyeing the hair red, does not seem to have gained a footing among the Israelites. Neither does the powdering with gold dust, which Josephus (*Antiq.* viii. 7. 3) relates of Solomon's horsemen, and which Vitringa in Schroeder, *Vest. mul.* p. 403, thought to find in the word מִקֻּשָּׁה, Isa. iii. 24, nor the use of false hair or wigs; comp. Winer, *R. W.* i. p. 450.

(9) The opinion that the Israelites wore a *moustache*, mentioned, it is alleged, in Micah iii. 7 (Winer, Saalschütz), rests on the untenable supposition that שָׂפָם denotes the moustache, a meaning wholly unsuitable to the phrase עָטָה עַל שָׂפָם, Lev. xiii. 45; Ezek. xxiv. 17, 22; Micah iii. 7.—To shave the beard was only customary in the ancient world among the Egyptians; Herod. ii. 35; and Hengstenberg, *BB. Mos. und Æg.* p. 28 f. The Israelites counted it a great insult to cut off any one's beard against his will, 2 Sam. x. 4 f., Isa. vii. 20, or to pluck off the hair, Isa. l. 6. Only in the case of deep mourning was it customary to shave the hair and beard; comp. § 115.

(10) That כְּתֹבֶת קַעֲקַע denotes *scriptio stigmatis*, i.e. *figuræ cauterio impressæ, stigmata*, is without doubt; but it is still disputed whether the prohibition applies to simple tattooing, a custom still found among the Bedouins and in Egypt (Arvieux, *Sitten der Beduinen*, p. 115; Burckhardt, *Beduinen*, p. 40 f.; Weiss, *Ubi supra*, p. 153 f.; and Lane, *Manners and Customs*, i. p. 334), or to the custom of idolatrous peoples of branding on the body the names and symbols of their gods (3 Macc. ii. 29, and other proofs from classic authors in Spencer, *De legg. Hebr. rit.* lib. ii. c. 20, p. 411 sqq.). The latter, however, is improbable, because not indicated in the context.

(11) Neither are these prohibitions directed against idolatrous signs, as is evident from the words: Thou shalt not mar the corners of thy beard (לֹא תַשְׁחִית). No doubt Herod. iii. 8 tells us of certain Arabs of the desert that they have their hair cut *κατάπερ αὐτὸν τὸν Διόνυσον* (*i.e.* Οὐροτάλ) *κεκάρθαι· κείρονται δὲ περιτρόχαλα, περιξυροῦντες τοὺς κροτάφους*, probably the same as those mentioned (Jer. ix. 25, xxv. 23, xlix. 32, קְצוּצֵי פֵּאָה). But this custom does not hold of the Arabs in general, so that it might be regarded as an outstanding sign of idol-worship. For Pliny, *hist. nat.* vi. 32, relates: Arabes mitrati degunt aut intonso crine, barba abraditur præterquam in superiore labro, aliis et hæc intonsa. Besides, it remains uncertain whether those Arabs also cut the corners of the beard and were on this account called קצוצי פאה, as Movers, *Phönizier*, i. p. 361, and M. Baumgarten, think. Spencer

also understands this prohibition as relating to idolatrous mourning usages; but he is refuted by Deyling, *Observatt. sacr.* ii. obs. 14.

(12) Eye-paint, that cosmetic still so much in favour among Eastern women, is called פּוּךְ, *i.e. stibium* or *antimonium*, probably grey antimony. The box in which it was kept—such as those found by Rossellini in old Egyptian tombs—was called קֶרֶן הַפּוּךְ, *paint-horn* (occurring in Job xlii. 14 as a woman's name). The painting, כָּחַל, Ezek. xxiii. 40 (Arab. *Cohol*), or קָרַע בַּפּוּךְ עֵינַיִם, to touch the eyes with *Puch*, or (שִׂים בַּפּוּךְ ע') to overlay the eyes with P. (2 Kings ix. 30), was done in this way. The fine black powder, purified from the ore, either dry or converted into a salve by mixing it with oil or other fluid, was taken up on a smooth probe of ivory, wood, or silver, and thus put on the eyebrows and eyelashes, to heighten the lustre of dark eyes, and in advanced age to give a youthful appearance to grey eyelashes. Comp. Dr. Hille, "über den Gebrauch und die Zusammensetzung der oriental. Augenschminke," in the *Ztschr. der DMG.* v. p. 236 ff.—On the other hand, it is impossible to prove the assertion of Hartmann (*Hebräerin am Putzt.* ii. p. 356 ff.), that Hebrew women, like other Oriental females, used alkenna dust to dye the tips of their fingers and toes a gold or orange yellow.

§ 105. *Jewellery and Ornaments.*

From the most ancient times there were two ornaments pertaining to men, a *staff* (מַטֶּה, מַקֵּל) in the hand (Gen. xxxviii. 18; Ex. xii. 11), and a *seal* (חוֹתָם) worn by a ribbon on the breast (Gen. *ubi supra*), or in a ring (טַבַּעַת, Chald. עִזְקָא) on the right hand (Gen. xli. 42; Jer. xxii. 24; Esth. iii. 10, viii. 2) (1). On the contrary, *earrings*, which were worn by the Midianites (Judg. viii. 24 ff.) and other Orientals, seem to have been only worn by women and children among the Israelites, not by men (2).

(1) Of the Babylonians, Herod. i. 195 relates: "Every one carries a seal and a staff carved by the hand of man; and on every staff there is something put on the top, an apple, or rose, or lily, or eagle, or something else; for without a token dare no one carry a staff." On the staves of the Egyptians, Wilkinson (*Manners*, iii. p. 388) found the names of their owners written. — The rings of the Israelites were engraved (פִּתּוּחֵי חוֹתָם, Ex. xxviii. 11); probably the name was inserted, perhaps figures

also. Now-a-days the seals of the Orientals have usually only the name (at most a quotation from the *Koran* in addition), from which an impression is taken with Indian ink. Comp. Robinson, *Palestine;* and Winer, *R.W.* ii. p. 458.—In sealing letters (1 Kings xxi. 8), bags (Job xiv. 17), and sacks, as well as doors (Bel v. 11), seal-clay was used (חֹמֶר חֹתָם, Job xxxviii. 14). Comp. also Mischna *Schabb.* viii. 5; and Winer, *R.W.* i. p. 197 f.

(2) This appears to follow clearly from Ex. xxxii. 2, especially when it is further taken into account that nowhere are earrings mentioned in connection with men; and according to Mischna *Schabb.* vi. 6, even boys of the later Jews had not this ornament. For its use among other peoples, see the proofs in Winer, *R.W.* ii. p. 173 f.—Neither do gold necklaces appear as a male ornament among the Israelites, as they do among the Persians and Medes; nor does the custom of the Egyptians and Medo-Persians, whose kings adorned their highest ministers with gold chains as insignia of office or tokens of their favour (רָבִיד, Gen. xli. 42; and חַמְנוּךְ, Dan. v. 7).

Much more varied were the ornaments and jewellery (חֲלָאִים, Song of Sol. vii. 2) of Israelitish women. They wore *earrings* (נֶזֶם, Gen. xxxv. 4; or עָגִיל, Ezek. xvi. 12) with other ornaments besides in the ear, such as drops (נְטִיפוֹת), *i.e.* pendants with little bells or pearl-shaped forms (Isa. iii. 19), such as were common among the Midianites (Judg. viii. 26) (3). Next *nose-rings* (נֶזֶם אַף, Gen. xxiv. 47; Isa. iii. 21; Ezek. xvi. 12) in the right or left nostril, perhaps also in the division of the nose, hanging down over the mouth. Besides, came *necklaces* (רָבִיד, Ezek. xvi. 11; עָנָק, Song of Sol. iv. 9), sometimes of metal, sometimes of jewels or pearls, which were strung on a ribbon (חֲרוּזִים, Song of Sol. i. 10), hanging down to the breast or even to the girdle. To these were attached golden *crescents* (שַׁהֲרֹנִים, Isa. iii. 18; Judg. viii. 21), perhaps also *sunlets* (שְׁבִיסִים, Isa. *ubi supra*), *amulets* (לְחָשִׁים, Isa. iii. 20), and *smelling-bottles* (בָּתֵּי נֶפֶשׁ). Further, *armlets* (צָמִיד, Gen. xxiv. 22, 30; אֶצְעָדָה, Num. xxxi. 50 f., worn also by men of rank, 2 Sam. i. 10) and *bracelets* (שֵׁרוֹת, Isa. iii. 19), *anklets* (עֲכָסִים, Isa. iii. 18), fastened with *chains* (צְעָדוֹת, Isa. iii. 20), which coquettes used to make a tinkling as they tripped along (Isa. iii. 16). To these trinkets, which were of gold in the case of women of rank, there were added polished hand-mirrors of brass (מַרְאָה, Ex. xxxviii. 8; גִּלְיוֹנִים, Isa. iii. 23;

ἔσοπτρα, Sir. xii. 11), which were perhaps carried in the hand as ornaments (4).

(3) The word כּוּמָז, *globulus aureus* (Ex. xxxv. 22; Num. xxxi. 50), also denotes, perhaps, a part of the ear-pendants. Gesenius (*Thes.* p. 692) explains it of little balls strung together, which were worn round the neck or wrist.

(4) All these ornaments, made sometimes of gold or other metal, sometimes of horn or ivory, were and still are much in favour and widely spread in the East. Proofs for this are given by Winer, *R.W.*, articles: "Ohrringe," "Nasenringe," "Halsketten," "Armgeschmeide," "Fussringe," "Spangen und "Spiegel;" and for ancient Egypt, Wilkinson, iii. p. 370 sqq.; and Weiss, *Kostümk.* i. p. 42 ff.; for Arabia, Weiss, p. 154 f.; and for Western Asiatics, Assyrians, and Babylonians, *ibid.* pp. 178 and 207 ff.

SECOND SECTION.

FAMILY RELATIONS.

FIRST CHAPTER.

MARRIAGE.

§ 106. *Nature and Character of Israelitish Marriage.*

An essential condition of the development of mankind towards its God-appointed goal, is the fellowship of love and life implied in the marriage relation between man and woman. Hereby the family is constituted as the foundation of all other natural associations of the human race in narrower or wider circles. In order to the fulfilment of his earthly calling, man needs a helpmate. He was not created as a species and plurality, but as a personal being in two sexes. Accordingly, God ordained marriage as *that* life-fellowship in and by which the human race should not only be preserved, propagated, and multiplied, but its spiritual nature also developed in accordance with its destiny, and fitted in body and soul not only to be lord of the earth and the creatures in it (Gen. i. 26), but likewise to be the earthly citizen of the kingdom of God (1).

But marriage corresponds to this end only in the form of monogamy, when it is established in the way represented and typified (Gen. ii.) in the narrative of the creation of the woman, not a mere sexual fellowship, but a personal communion during this temporal life, and in order to mutual participation in the personal pursuit of life's great end; when the man receives in the *one* wife the helper corresponding to the need of his heart and to his earthly calling, in whom he sees flesh of his flesh, bone of his bone, and knows that God created her for him.

This original ordinance of God, making marriage the indissoluble and inviolable joining of *two* into *one* flesh (Gen. ii. 24; Matt. xix. 4 ff.; Eph. v. 31), was disturbed by sin. We find one so early as the Cainite Lamech taking two wives (Gen. iv. 19); and among the patriarchs (xxix. 16 ff., xxvi. 34), the custom of taking concubines, besides wives proper, to have children by them, especially in case of the wife's barrenness (Gen. xvi. 3, xxii. 24, xxx. 3 ff., xxxvi. 12). This custom, resting on the ancient tradition of many peoples of antiquity (2), is not forbidden even by the Mosaic law. It does not raise monogamy to the rank of the only legally valid form of marriage, but seeks to limit bigamy and polygamy. It does so indirectly, by the injunction provided for the future king, not to take many wives (Deut. xvii. 17). It does so directly, by forbidding to take two sisters to wife at the same time (Lev. xviii. 18), or to show preference for the one wife above the other in settling the inheritance of the children (Deut. xxi. 15 ff.). Finally, by the command, to treat the daughter bought from another, not as a slave, but if she had been intended to be the wife of a son, to allow her the right of a daughter; and if the son took a second wife, not to diminish the maintenance, clothing, and domicile of the first; otherwise, she was to go free without ransom (Ex. xxi. 7–10). Still more was the God-willed relation of marriage declared by the earnestness with which the law punished unchastity, fornication, and incest; forbade marriages with the idolatrous Canaanites; and sought, by various ordinances, to limit divorce, which was permitted because of the people's hardness of heart (Matt. xix. 8). The same end was served by the communication of the original divine institution (Gen. i. 27 f.,

ii. 18 ff.), by depicting the bitter fruits which resulted to the patriarchs from their two or more wives, and by the religious conception of monogamy as representing the union of Jehovah with Israel, the germ of which is found even in the law, though undoubtedly it is more clearly developed only at a later time by the prophets (Hos. ii. 18 f.; Isa. l. 1; Jer. ii. 2; Ezek. xvi. 8, 23) (3). Thus, without any legal command, by the spiritual influence of revealed truth, the higher, ethical meaning of marriage as a holy God-sanctioned covenant (Mal. ii. 14) prevailed among the Israelites, and they learned to regard a good wife as a gift of God (Prov. xii. 4, xviii. 22, xix. 14, xxxi. 10 ff.; Sir. xxvi. 1 ff.). Hence also we find that for the most part only men of wealth or rank had two or more wives (Judg. viii. 30; comp. x. 4, xii. 9, 14; 1 Sam. i. 2), and kings a greater number (2 Sam. v. 13; 1 Kings xi. 3; 2 Chron. xi. 21, xiii. 21); but common Israelites were, for the most part, content with one; so that monogamy was always predominant, and became ever more so after the exile (Tob. i. 11, ii. 19, viii. 4, 13; Sus. 29, 63; Matt. xviii. 25; Luke i. 5; Acts v. 1, etc.) (4).

(1) On the nature of marriage, comp. Harless, *Christl. Ethik*, § 52; Delitzsch, *Das Hohelied* (1851), p. 175 ff.; Tholuck, *Comment. zur Bergpredigt*, p. 213 ff., 3rd ed.; and Luthardt, *Vorträge üb. d. Moral des Christenthums*, 2d ed., Leipzig 1873, pp. 91 ff. and 234 ff.—Sir John Lubbock's view (*Central Australia*, Lond. 1845), that men in their primitive state did not observe the married relation, but that the women of a horde were the common good of all the men, has been refuted by Peschel, *Völkerkunde*, p. 238 f. [Eng. tr. p. 228 f.], as an unsupported fallacy.

(2) See the proofs for this in Winer, *R. W.* ii. p. 661.

(3) Comp. Delitzsch, *D. Hohelied*, p. 200 ff.

(4) The mere obligation to maintain the wife must have greatly limited bigamy and polygamy. For this reason, even many Mohammedans refrain from polygamy. The Talmudists lay down the rule that no Jew dare have more than four wives at once; and a king, at the most, eighteen. Comp. Othonis *Lex. Rabb. phil.* p. 520.

History also testifies for monogamy as the divine order. "History," says Peschel (*Völkerk.* p. 230 [Eng. tr. p. 221]), "on this subject establishes the doctrine, that all peoples that have risen to high civilisation have strictly guarded marriage and sexual

fidelity in general, and that the corruption of society followed at the heels of all immoral laxity." And, p. 22: "As social creatures, we are subject to a moral order; and this is decidedly hostile to polygamy. The history of Oriental royal families teaches us, that the short duration of those dynasties is always to be traced to the quarrels of ambitious consorts, and that in them the ennobling feeling of brotherly love is wholly wanting."

§ 107. *Forbidden Marriages.*

To keep marriage sacred as a divine institution of religious and moral significance, it was necessary to put certain limits to the formation of the marriage tie. With this view it is forbidden to the Israelites—1. To ally themselves with the peoples of Canaan—doomed because of their idolatry and vice—the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites; or to form marriages with them for their sons or daughters, lest they should seduce Israel to idolatry (Ex. xxxiv. 16; Deut. vii. 1–4). From this emphatically stated motive, it is clear that marriages with other foreigners, which the law does not forbid, but expressly allows in the case of women taken captive (Deut. xxi. 10 ff.), were only permitted when the heathen taken in marriage renounced idol-worship; and further, that Israelites dared not marry their daughters to heathen or idolaters, though certainly to strangers who dwelt among them and had given up idolatry, even though they were not formally incorporated by circumcision with the covenant people (1).

2. Besides these, there are certain marriage relations which are unconditionally forbidden, not only to the Israelites, but to the strangers living among them (Lev. xviii. 6) (2).—I. With a mother, step-mother (father's wife), and mother-in-law; with a sister, step-sister, and half-sister (3); with a step-daughter (4) and daughter-in-law; with a grand-daughter (the daughter of son or daughter) and step-grand-daughter (the daughter of a son or of his wife). Such connections were pronounced accursed, and punished with death (Lev. xviii. 7–11, 15, 17, xx. 11, 12, 14, 17; Deut. xxiii. 1, xxvii. 20, 22, 23) (5).—II. With an aunt, *i.e.* a father's or mother's sister, with the wife of an uncle on the father's side, with a sister-in-law (a brother's wife), and with two sisters at the

same time. These were forbidden under the threat that the transgressors should bear their sin, should be (die) childless (Lev. xviii. 12, 13, 14, 16, 18, xx. 19–21) (6).

(1) The opinion of Saalschütz, *Mosaiches Recht*, p. 785 f., that "all peoples who were excluded from admission to the congregation (naturalization), consequently male Ammonites and Moabites, and for the first two generations also male Egyptians and Edomites (Deut. xxiii. 4–9), were also inadmissible to marriage and family relationships," and "that from a heathen who wished to marry an Israelitish woman, besides the general conditions of naturalization, circumcision was also demanded," cannot be established from the Mosaic law. But since proselytes in the Israelitish commonwealth did not enjoy the full rights of citizenship, marriages of female Israelites to non-Israelites do not seem to have been of frequent occurrence. Cases of this kind are mentioned, Lev. xxiv. 10; 1 Chron. ii. 17, 34 f.; 1 Kings vii. 14; Ruth i. 4. Neither does the other case of Israelites marrying foreign women—apart from maidens taken in war—seem to have been frequent, though Moses himself not only married a Midianite before his call (Ex. ii. 21), but a Cushite also afterwards (Num. xii. 1). For to take daughters to wife from the uncircumcised was already regarded as a scandal in the time of the Judges (Judg. xiv. 3). The kings, however, in several instances took foreigners as their wives (1 Kings vii. 14, xi. 1, xiv. 21), who did not always, as the Rabbins (comp. Buxtorf, *de sponsal. et divort.* p. 4) think, go over to Judaism; but sometimes, as appears from 1 Kings xi. 1, xvi. 31, directly trampled on the Mosaic law. Comp. also Judg. iii. 6.—Such marriages greatly increased among those who returned from the exile, till Ezra and Nehemiah corrected the evil (Ezra ix. 2 ff., x. 3; Neh. xiii. 23 ff.), not out of "extreme rigour" and zeal, going beyond the law, but quite in the spirit of the law, because these marriages involved a confusion of Judaism and heathenism.

(2) The law, in laying down the general prohibition: "None of you shall approach to any that is near of kin to him" (Lev. xviii. 6), as well as in adducing the special cases, speaks for the most part only of "uncovering their nakedness." But it is clear that the prohibitions do not, as Mich. Weber (*Opusc. Academ. eaque apologet.*) and Rosenmüller (*Scholia ad Lev.* xviii. 6) think, treat of sexual intercourse outside of marriage (*concubitus*), but, while laying such intercourse under ban, are directed against the formation of marriages with near kin. This is obvious from the prohibition: "Thou shalt not take a woman to her sister" (ver. 18); and still more evident when we compare

the words in Lev. xx.: "The man that lieth with his father's wife," and similar phrases (ver. 11 f.), with the forms of expression alternating with them: "If a man take a wife and her mother" (ver. 14); "If a man take his sister" (ver. 17); "If a man take his brother's wife" (ver. 21).

(3) In Lev. xviii. 9: "The nakedness of thy sister, the daughter of thy father or the daughter of thy mother, whether born at home or born abroad (מוֹלֶדֶת בַּיִת אוֹ מוֹלֶדֶת חוּץ), their nakedness thou shalt not uncover," what is forbidden is evidently marriage, either with a full sister or half-sister, whether the daughter of a father by a step-mother, or the daughter of a mother by a step-father; and the clause, "born at home or born abroad," does not denote lawful and unlawful marriage (Aben Ezra, L. de Dieu, Rosenmüller, etc.). For, with polygamy allowed, the children of the father's concubine could not properly be called illegitimate. Still less can it be supposed "that the lawgiver is thinking of an illegitimate child of the mother, and providing by law for the possibility of such a case" (Saalschütz, *Mos. R.* p. 769). Rather the clause is to be explained with Onkelos: quæ nata sit a patre tuo ex muliere alia aut ex matre tua ex alio viro, and as a more precise definition of the words: "daughter of thy father or daughter of thy mother," to be understood with L. de Dieu, de filio secundarum nuptiarum, cui prohibetur conjugium cum dimidia sorore ex primis nuptiis, sive ea sit filia patris i. e. quam pater ex defuncta conjuge, sive filia matris i. e. quam mater ejus ex defuncto marito susceperit. Accordingly, ver. 11: "The nakedness of thy father's wife's (*i.e.* thy step-mother's) daughter, begotten of thy father—she is thy sister—thou shalt not uncover," is no tautology, but treats of the son of a first marriage, who is forbidden to marry a half-sister by a second marriage of his father (with another wife). Sam. Bohl gives to מוֹלֶדֶת (comp. Gen. xlviii. 6) the meaning of the active participle, "the [child] bearing one;" and this meaning has been again advanced by Saalschütz, *ubi supra.* But this is contrary to the usage of the language, as also Knobel's view, that אֵשֶׁת אָבִיךָ (ver. 11) denotes "thy mother and step-mother," and consequently that this verse embraces the full sister, who was excluded in ver. 9.

(4) Sexual intercourse of the father with his own daughter is not mentioned, but included in the general prohibition of incest, Lev. xviii. 6; just as in Ex. xxi. 15 parricide is not specially mentioned, because such crimes were not to be supposed.

(5) Though the prohibitions taken singly are addressed only to men, yet in the case of transgression both parties suffer equal punishment, clearly proving that the lawgiver regarded the female as not less guilty than the male.

(6) On the other hand, the following marriages, though within the same degrees of relationship, are not forbidden: (*a*) with a niece, the daughter of a brother or sister; (*b*) with the widow of a mother's brother; (*c*) with the widow of a sister's son; (*d*) with a deceased wife's sister. Comp. J. D. Michaelis, *Ehegesetze Mosis*, § 81 ff.; and Saalschütz, *Mos. Recht*, p. 780 f.

The reason of these prohibitions is neither to be sought in the still very doubtful experience, that the children born of such marriages are weakly, nor for the purpose of "preventing fornication and early seduction in families," nor in other "observed prejudicial effects of a physical and social kind, caused by the forbidden marriages" (7). Nor can the divine purpose of spreading and multiplying the bonds of love among men (8) form the only or most important ground. No doubt there is a profound truth at the root of this view of Augustine. For marriage, according to its divine intention, is not merely the means of increasing the human race and peopling the earth, but along with the multiplication of the race it has a twofold purpose. On the one hand, it is intended to produce the infinite plurality of individualities included in the race, as this is revealed in all the domains of the earthly creation, all animal and vegetable life, reflecting the infinite wisdom and glory of the Almighty Creator. On the other hand, it aims to unite the numberless individualities of the human race in free love one with another, so as to preserve likeness and unity in diversity and plurality, and to prevent the selfish isolation of the various families (9). But the ground that marriages within those degrees of kinship were only in this respect contrary to the divine will, does not suffice to brand them as incest. The divine law forbids them not only as displeasing to God, but as impure abominations, by which the Canaanites had defiled the land, so that they were vomited forth from it, and puts them on the same footing with the quite monstrous vices of unchastity with animals and of pederasty (Lev. xviii. 22 ff.). —Their scandalousness can only lie in the fact that they are repugnant to the nature of blood relationship, that they are incompatible with the moral order established therein.

Not only is marriage a divine institution, but the kinship which proceeds from it establishes a God-ordered relation,

both of parents to children, and of children or brothers and sisters to one another. That institution and this relation are radically different in origin, character, and object. Marriage proceeds from the difference and separation of human nature into two sexes, and the innate need of their union in order to mutual completion and perfection, and rests in its proper nature in the love of the sexes, which in its purest impulses strives to harmonize the diversity and remove the separation, in order by the mutual completion which man and wife give to one another, to perfect the human personality both in bodily and spiritual respects. This love finds full satisfaction only when the entire possession of the one sex is communicated to the other, not only what pertains to the senses and body, but that which is moral and psychico-spiritual. Hereby the married pair pass into personal life-unity, as it were into the unity of a person (10). In this unity of self-offering and receiving love they found the family. By giving birth to children and training them, they not only preserve and propagate the human race as a species, but they at the same time establish a God-ordered moral relation of mutual love between themselves and their children. On the part of parents this relation manifests itself as an exalted provident love to the children, which is independent of all compensation. On the side of the children it appears as filial affection and childlike reverence to their parents and guardians; and, finally, in the attitude of the children to one another, as pure fraternal love. This bond of love produced by common blood, which unites the members of the family with one another, is specifically different from that which in marriage unites the spouses in spirit, soul, and body into *one* flesh.—Parental and fraternal love is not only wholly free from the desire of sexual fellowship, which essentially belongs to wedded love, but is directly opposed to it in the object after which it strives. Parental and fraternal love strives, with all the energy which it draws from the fountain of the life blood common to parents and children, to preserve the personal relations, duties, and right of the various members of the family, to cherish and ennoble them morally and spiritually. Wedded or spouse love seeks to make the personalities of the individuals of the two sexes melt into one. When, therefore, sex love

seeks the object of its choice among near of kin, it dissolves the bond of kinship, and destroys the divine order and moral relations which rest on it (11). By setting aside the God-ordered moral relations of love of kindred it becomes immoral, and sinks down to the mere satisfaction of fleshly lust; and hence in the Mosaic law it is only designated according to this fleshly aspect as "an uncovering of nakedness" (12).—Herein lies the monstrosity and immorality of marriages within the nearest degrees of kinship, herein the real ground or truth of the so-called *horror naturalis*, or natural abhorrence which moral feeling experiences against such connections. But the immorality becomes the greater, the closer the relationships are which are hereby set aside; the holier are the family relationships which are thereby destroyed.

Hence it follows that all marriages within blood relationship are not equally unnatural and immoral. This harmonizes perfectly with the law. For, notwithstanding the general prohibition with which the subject is prefaced: None of you shall approach to any that is near of kin to him, to uncover their nakedness (Lev. xviii. 6), it makes differences in the punishments assigned, Lev. xx. Marriages between parents and children, step-parents and step-children, parents-in-law and children-in-law, and between full and step-brothers and sisters are punished with death; on the contrary, marriages with aunts and sisters-in-law are only designated as iniquity, and threatened with childlessness; and the transgression is described by different words.

The closest kinship subsists between parents and children, founded on the holy relation of fatherhood and childhood, the basis of all moral order. Marriage, therefore, between parents and children is the greatest abomination, a wickedness (זִמָּה) which is to be punished with death; and if the fleshly confusion takes place simultaneously with the wife and her mother or her daughter or grand-daughter (Lev. xviii. 17), it is to be punished with the burning of the transgressors (Lev. xx. 14). But the moral relation of fatherhood and childhood subsists not only between parents and their natural children and children's children, but also between parents-in-law and grandchildren-in-law; hence these marriages also were crimes worthy of death. He is guilty of the same crime who enters

into sexual relation with his daughter-in-law; he commits a sinful confusion (תֶּבֶל), like the man who lies with a beast (Lev. xx. 12, comp. with xviii. 23), because she is his son's wife (Lev. xviii. 15). He mixes or confounds the different orders established by God. The son's marriage relation sets a limit to the father's sex relation, to break through which is as shameful as the confounding of the limits drawn by God between man and beast.—But there is also between brothers and sisters a bond of moral fellowship in love which is incompatible with sexual love. Full and step-brothers and sisters are, as the offspring of their parent's marriage, members of one family, and they deny or rather annihilate this their God-ordered relation when they enter into sexual connection with one another, because sex love dissolves fraternal love, the marriage relation annihilates the fraternal. Hence marriage between sisters and brothers, as a shame (חֶסֶד), is to be punished with cutting off (Lev. xx. 17) (13).

Less unnatural are marriages in more distant degrees of relationship, and hence they are not punished with death, but only designated as guilty, and threatened with childlessness (14). So marriage with a father's or mother's sister (aunt), as a sin against the father's or mother's blood relationship (Lev. xviii. 12 f.), as an injury done to the *respectus parentelæ*, the child's piety toward father and mother (15); marriage with an uncle's (widowed or divorced) wife, because she is his aunt (Lev. xx. 20), and in the sin against the uncle there is one indirectly against the father; marriage with the wife of a (deceased) brother (full sister-in-law) and the sister of one's own wife. Marriages in the two last named degrees are, however, only conditionally forbidden; that with a wife's sister only during the lifetime of the former (בְּחַיֶּיהָ), whence the Rabbins have rightly concluded, that after a wife's death the law allowed the man to marry her sister. The reason why this is not allowed so long as she lives, is hardly to be sought, however, merely in the prevention of jealousy between sisters, "which is worse than between strangers" (16), but rather in the disturbing or destroying of the sisterly relation by simultaneous marriage with *one* man (17). Marriage with a (deceased) brother's wife is also forbidden as *Nidda* (נִדָּה, sexual uncleanness), and threatened with childlessness (Lev. xx. 21), only if

the deceased brother had had or had left behind him children, because then it was an invasion of the brother's family relation (Lev. xviii. 16); whereas in the case of childlessness of the deceased it was not only allowed, but made a moral duty (comp. § 108).

(7) So J. D. Michaelis, *Abhdl. v. den Ehegesetzen Moses*, etc., 2nd ed. 1786, § 56 ff., and *Mos. Recht*, ii. § 108; Winer, *R.W.* i. p. 298. Comp. the refutation of these opinions in Hengstenberg, *Ev. KZ.* 1840, Nr. 50 ff.

How it became customary to avoid marriages between kindred —says Peschel, *Völkerk.* p. 232 [Eng. tr. p. 223]—belongs to the most obscure but most instructive questions of ethnology. It cannot be explained by the knowledge of the prejudicial consequences of such unions. We find marriage with a sister or mother not only allowed in ancient Persia, but marriages between relatives regarded even as meritorious. The Pharaoh in Egypt could choose no more suitable consort than his sister; and this marriage was prescribed to the Inca of Peru. While these highly civilised peoples had no shrinking from such unions, we find the horror of incest most keenly developed among inferior races having little stability, and living in childish unconcern. "The Australians held strictly by the prohibition against a man marrying a woman who had the same family name with himself. —Marriages between people of the same tribal names were likewise strictly avoided among the Samoyedes and Ostjaks. The Huron and Iroquois also tolerated no marriages between relatives. The Hottentots punish incest with death; and their neighbours the Kaffirs forbid marriage between the most distant kinsfolk under penalty of loss of property; moreover, they allow double marriages with sisters. The Fans in Western Equatorial Africa, notorious cannibals, regard marriages where there is the least degree of blood-relationship as criminal, and always take their wives from another race. Other races likewise, men-eaters, the Battas of Sumatra, punish marriages between kinsfolk of the same horde with death to both parties. Among the Hindoos the prohibition extends to the sixth degree of relationship; nay, identity of name is also regarded by them as a sufficient hindrance" (Peschel, pp. 233, 234 [Eng. tr. 224 f.]).

(8) Augustinus, *de civit. Dei*, xv. 16: Habita est ratio rectissima caritatis, ut homines, quibus esset utilis atque honesta concordia, diversarum necessitudinum vinculis necterentur: nec unus in una multas haberet, sed singulæ spargerentur in singulos; ac sic ad socialem vitam diligentius colligandam plurimæ plurimos obtinerent. Pater quippe et socer duarum sunt necessitudinum nomina. Ut ergo alium quisque habeat

patrem, alium socerum, numerosius se caritas porrigit, etc. This view is defended by Hengstenberg in an article "On the marriages forbidden because of relationship," in the *Ev. KZ.* 1840, Nr. 47 ff., as the only right one, because it conclusively justifies the exception of the *first* brother and sister. "Only it has, on the other hand, this inconvenience, that it fully justifies Lot's daughters,—the mistake being assumed that they were the sole survivors,"—and "since it leaves wholly out of view the specific character of the family bond, it leads logically to an extension beyond all limits, such as quickly followed." Fr. Jul. Stahl, *Die Philosophie des Rechts*, ii. 1, p. 360, 2nd ed.

(9) For mankind as a whole, marriage is intended "to complete family individualities, thereby to produce new individualities and to effect a crossing of the human race. Hence love between the sexes is naturally conditioned by the charm of a diverse family individuality (Hegel); and marriage is intended to go outside of the family, to spread the bonds of love (Augustine). Accordingly marriage within the family is a selfish (Narcissus-like) shrinking within itself, like union within the same sex." Stahl, *ubi supra*, p. 355.

(10) Comp. Rich. Rothe, *Theolog. Ethik*, ii. p. 1 (§ 292), p. 9 (§ 297).

(11) "Near, and especially the paternal relationship, and marriage, are God-separated relations in nature. As the physical bond of both is different, so also is the bond of love. Therefore they are not to be confused with one another."—"Marriage regarded in itself is the bond of a love which feels need, longs and seeks for completion. Even apart from all that is physical, though this too belongs to it essentially, it rests, in its purest spiritual aspect, on a need of completion, is only satisfied by being returned, and constantly seeks this. On the other hand, the paternal relation is above all on the one side a bond of exalted, provident love (God-like), as needing absolutely nothing; and, on the other, of reverential fear. This bond would be wholly destroyed and desecrated by the bond which demands completion on both sides.—But the bond between brothers and sisters is also an *organic* one of independent love; it has for its organic purpose to be the family, to realize its end, not *to produce*, or be the means of the family." Stahl, *ubi supra*, p. 354 f.

(12) "Where a sexual relation occurs between parents and children and brothers and sisters (step-parents, step-children, step-brethren, including likewise the married pairs forming with their children one person), this is only possible with the immediate annihilation of the very being of parental, filial, and fraternal love; and consequently only possible as a monstrosity and in virtue of the brutal ascendency of the flesh."

Joh. Bapt. v. Hirscher, *Die christl. Moral*, Bd. iii. p. 552, 3rd ed.

(13) The exception formed in this respect by the children of the first pair, finds its justification in the fact that they represent not only the family, but the race. "As soon as more families than one arise, the bonds are sharply severed: marriage as the means of establishing the family, which must go outwards, the fraternal bond as the established family, which must subsist as its own end." Stahl, *ubi supra*, p. 355 f.

(14) This, however, is not to be understood with Michaelis, *Mos. R.* § 116, 5, thus: "The children born of the marriage are to be ascribed, not to the natural father, but to the deceased father's brother;" but childlessness is proclaimed by God to be the punishment of such marriages. Comp. Saalschütz, *Mos. R.* p. 773.

(15) This violation does not take place in the marriage of a niece (a brother or sister's daughter), and hence this marriage is not forbidden. But it is difficult to understand why marriage with the widow of a mother's brother, the former wife of the uncle on the mother's side, is allowed, while that with the former wife of the uncle on the father's side is forbidden. Saalschütz (*Mos. R.* p. 782 f.) supposes "that the brother of the father, as the head of the family, stood to his children in a closer relation than the mother's brother." This is so far supported by the circumstance, that the former bears the kinsman's name *Dod*, uncle, and is redeemer and heir, which is not the case with the mother's brother. It has at least more on its side than M. Baumgarten's remark (*Theol. Comment.* ii. p. 204), "that under the Old Testament the woman had not yet come to the same personal standing and independence as the man."

(16) So J. D. Michaelis, *Ehegesetze Mosis*, § 78.

(17) This seems to be indicated by the לְצָרוֹר, strictly speaking, *to pack together*.

§ 108. *Levirate Marriage.*

When a married man died without having a son, his surviving brother was obliged, according to ancient custom (Gen. xxxviii. 8 ff.), as brother-in-law (יָבָם, *levir*), to marry his widowed sister-in-law. This traditional custom of levirate (1) is thus defined by the Mosaic law: If brothers (on the father's side) live together, *i.e.* still form one family (2), and one of them dies without male heirs (3), the wife of the deceased shall not go outside (חוּצָה, beyond the family) and

become the wife of a stranger (זָר, not belonging to the family kindred), but the surviving brother as brother-in-law shall take her to wife, and the first-born son by her shall take the name of the deceased, *i.e.* shall continue his name in the family register, that his name may not perish out of Israel. But in case the brother-in-law did not desire to marry the widow, she might cite him legally before the elders of the place. If, notwithstanding their attempts at persuasion, he still persisted in declaring his unwillingness, he was not compelled to do the duty of a brother-in-law, but he was obliged to submit to the humiliation of having his shoe plucked off by his sister-in-law under the eyes of the elders (that is to say, publicly before the judgment-seat), and of being declared by this symbolical act unworthy of his relation to the family (4); and of having his face spit upon as such (5), with the words: "So shall it be done unto the man that doth not build up his brother's house; whereby he took upon him the shame of having his house in Israel called the house of the Barefoot" (Deut. xxv. 5–10).

This custom, common among ancient peoples (6), has its natural root in that inborn need of man created immortal, while his faith in eternal life is yet undeveloped, of securing for himself personal continuance, and for his name immortality, by the perpetuation of his race by the life of a son entering into his place. This want was not suppressed in Israel by revelation, but was rather strengthened by the fact that the divine promise given to Abraham was attached to the preservation and propagation of his seed and name. The promise which was given to Abraham's seed must not only have raised the begetting of children to a God-willed and God-pleasing act in the religious view of the Israelites, but must have lent to the traditional custom of the race of preserving name and family by this provision of marriage duty, the meaning of thereby securing for the family a share in the blessing of the promise. Hence the Mosaic law could not desire violently to uproot a custom that had become interwoven with the popular consciousness, but only to confine it within just limits, so that it might not be prejudicial to the hallowing of marriage sought by the law. In order to this end, the law withdrew its compulsory power

from the consuetudinary right.—It did this by providing for the case in which the surviving brother persistently refused to marry his widowed sister-in-law, that his refusal should be recognised as valid. At the same time, however, it allowed to the wife the right of openly putting to shame the man who refused the office of affection toward his deceased brother, thus giving the childless widow a satisfaction which might heal her offended womanly feelings, so as to prevent her from using cunning and crime, such as those by which Tamar once sought to gain her rights (Gen. xxxviii. 12 ff.).

The divine sanction which the Mosaic law thus gives to levirate marriage is therefore not to be regarded as merely an accommodation to a popular prejudice. For the law allows this marriage not merely as an evil which cannot be eradicated, as it allows divorce, but it prescribes: "The wife of the dead shall not marry without unto a stranger; her husband's brother shall go in unto her and take her to wife." But it requires this not as a strict command, the transgression of which involves guilt and punishment, but as a duty of love, the non-fulfilment of which only brings reproach and ridicule on the man and his house.—Within these limits levirate marriage not only corresponds to the idea of marriage as a bond of pure love founded on mutual affection, but neither does it abolish the general prohibition of marriage with a brother's wife, but rather proceeds from one and the same principle with it. While marriage with a sister-in-law, when the deceased had a son or children, is forbidden as an offence against the fraternal relation, it is required in the case of the childlessness of the deceased, as a duty of love and in order to the building up of the brother's house, the preservation of his race and name. By that *prohibition* the brother's house (family) is preserved in its integrity; by this *command* it is raised to a permanent condition. In both cases the dead brother is honoured, and fraternal love preserved as the moral foundation of his house. Here we have at once the motive and the moral and legal significance of levirate marriage, and not in the desire of the lawgiver to keep together the entire inheritance, and to avoid the transference of real property from one family to another (7).

(1) Comp. Ferd. Benary, *De Hebræorum leviratu*, Berol.

1835, 4; G. Mor. Redslob, *Die Leviratsehe bei den Hebräern*, Lpz. 1836.—The Talmudic and Rabbinical ordinances regarding levirate are found Mischna *Jebamoth* (ed. Surenh. vol. iii. p. 1 sqq.), and an extract of the most important particulars in Saalschütz, *Mos. R.* chap. 104; and in Leyrer in *PRE.* viii. p. 358 ff. ("Leviratsehe").

(2) This meaning of שֶׁבֶת יְחָדָיו is evident from Gen. xiii. 6 and xxxvi. 7; not the explanation of Saalschütz, *Mos. R.* p. 757: "If their possessions immediately border on one another," though it has for it the authority of the Rabbins, who understand dwelling together of their common inheritance; comp. Benary, *l.c.* p. 7. But neither should the expression be pressed, as Redslob does, *Die Leviratsche*, p. 13, following Pfeiffer, *Dubia vex.* p. 314, so as to limit it to the "common inhabitation of one and the same house, *i.e.* having a common household, keeping house together." And even in this narrowest sense it is a mistake to infer from the words, with Pfeiffer, that the surviving brother is unmarried.

(3) In the description: "If he hath no son" (בֵּן, Deut. xxv. 5), the word *son* is intended in its strict meaning, inasmuch as only the son (not the daughter) propagates the name of the dead and preserves it in the nation. Nevertheless the Jews rightly understood the meaning of the law when they explained בֵּן in the general sense of *child*. So Joseph. *Antiq.* iv. 8. 23; Matt. xxii. 25: μὴ ἔχων σπέρμα = τέκνα; comp. with Mark xii. 19, and Luke xx. 28: ἄτεκνος, the Rabbins, Raschi on Deut. xxv. 5; *Jebam.* xxii. 6; Maimon. tr. *Jibbam.* i. 3; and Abarban. in Buxtorf, *De sponsal. et divort.* p. 26. Similarly most of the ancient translators and later Christian expositors; not indeed for the reason adduced by Saalschütz, p. 758: "Since daughters might be heiresses, and by a suitable marriage among their relatives preserve the name of the dead in his inheritance" (Num. xxxvi. 8 f.). For the law regarding the marriage of heiresses, Num. xxxvi., has no internal connection with the levirate law; it is intended only to prevent the transference of property from one tribe to another.—The limitation of levirate marriage which follows from the more general understanding of *son* to the case in which the deceased has left no child (son or daughter), is evident—apart from Lev. xviii. 6 and xx. 21, where the taking of a brother's wife is forbidden as נִדָּה—from the general law of inheritance, according to which, if one dies without having a son, his possession is to pass to his daughter, and if he has no daughter, to his brother (Num. xxvii. 8 ff.). If, accordingly, the possession of one who died without a son, but leaving a daughter, went to the daughter, the widow could not claim to

have a son by levirate marriage; otherwise the paternal inheritance must either have been unrighteously taken from the daughter, or the son by the levirate marriage remained without inheritance. If, on the contrary, Benary, *l.c.* p. 12, maintains: "quod filia deficientibus filiis tum denique hæres est facta, cum leviri matrimonium ex rei natura nullum poterat habere locum, i. e. ubi mortuus vel solam filiam nulla superstite vidua, vel uxorem reliquerat, quæ quominus leviro nuberet, vel ætate vel aliis quibusdam gravissimis causis (qualis morbus est) prohibebatur," he makes levirate marriage an almost unconditional necessity; whereas the Mosaic law requires it only under the supposition that the widow wishes to marry again, claims it as a duty of love from her brother-in-law, and not even in this case is it compulsory.

(4) The meaning assigned to this symbolical act is evident from the custom mentioned Ruth iv. 10, according to which it was an ancient usage in Israel for a man to take off his shoe and give it to his neighbour in a case of redeeming or exchange, to confirm any transaction. Fixed properties are taken in possession by treading the ground and soil, and maintained by the possessor standing with his shoe on them; hence the taking off and giving over of the shoe was the symbol of giving up one's position and property, a symbol common also among the Indians (comp. Benary, *l.c.* p. 14) and the ancient Germans (Grimm, *Deutsche Rechtsalterthümer*, p. 156). Comp. Pfeiffer, *Dubia vex.* p. 361 sq.—Otherwise, J. G. Wetzstein, *Exc.* to Delitzsch's *Comm. on the Book of Psalms.*—In our case the symbol seems so far modified, that it is not the brother-in-law who refuses marriage who takes off his shoe and gives it to his sister-in-law, but it is she who takes off his shoe, and thus divests him of the position which he occupied toward her and the deceased brother, or to the paternal house.

(5) This is the meaning of יָרֹק בְּפָנָיו, Num. xii. 14; ἐμπτύειν εἰς τὸ πρόσωπον (LXX.); πτύειν εἰς τὸ πρ., Joseph. *Antiq.* iv. 8. 23; not: to spit on the ground before his face, as it is explained, after tr. *Jebam.* xii. 6, by Saalschütz, *Mos. R.* p. 759; and Leyrer, *ubi supra*, p. 359; still less: *bilem evomere, to rail*, as Michaelis, *M. R.* ii. § 98, has it.

(6) Among the Indians, Persians, Afghans, Druses, several peoples of the Caucasus, among the Mongols and Ostjaks in Northern Russia, among the Brazilian Tupinambas and the Kolushs in the North-West of America, also among the negroes of the Gold Coast. Comp. Benary, *l.c.* p. 31 sqq.; Leyrer, *ubi supra*, p. 358; and Peschel, *Völkerkunde*, pp. 24 and 241 [Eng. tr. 22 and 231].

(7) This reason, so wholly foreign to the law, owes its origin

to a mistaken interpretation which occurs indeed very early, being found in Josephus, *Antiq.* v. 9, but not approved by any Rabbin, of the marriage of Boaz with the widow Ruth, related in the Book of Ruth, on which J. Selden, *De success. in bona defunct.* c. xv., already remarks: confusio est planissime binarum legum, quarum altera de hæreditate alienata seu emptores invitante redimenda, altera de fratria ducenda est. Utraque satis invicem diversa. Neque altera quid cum altera aut in sacris literis, aut apud Magistros habet commune. For as the same expositor had said before: neque Machloni, defuncto Ruthæ marito, erat Boazus frater; neque de propinquo aut fratre, qui fratriam duceret, verba fiunt ibi, sed diserte de גואל s. גואלו הקרוב, *i. e.* propinquo, cui jus aut officium erat redimendi patrimonium venditum ex lege lata, Lev. xxv., etc. —Notwithstanding, this confusion of wholly different things has obtained such currency through Clericus and Grotius, that even Ewald, *Alterthümer*, p. 276 f., Saalschütz, and Leyrer advanced it as undoubted truth; and Benary, p. 21 sqq., on this account seeks again to establish the connection of Ruth's marriage with the levirate law.

§ 109. *Contracting of Marriage, Betrothal, and Wedding.*

According to ancient patriarchal custom, marriage among the Israelites was the affair of the parents, of the father, or failing him, of the mother. They were accustomed to seek brides and give wives to their sons (Gen. xxiv. 2 ff., xxxviii. 6; comp. xxi. 21 and xxviii. 1 ff.), or at least to ask the maidens desired by their sons from their parents (Gen. xxxiv. 4, 8; Judg. xiv. 2), whereto, besides the consent of the maiden to be betrothed, that of the eldest brother was also usual (Gen. xxiv. 50, xxxiv. 11). As soon as consent was obtained, the suitor gave the bride a betrothal or bridal gift (מֹהַר), as well as presents to her parents and brothers (מַתְּנוֹת) (1); whereas in more ancient times the bride received a portion only in exceptional cases (Josh. xv. 18 f.; 1 Kings ix. 16 [after the Egyptian custom]); more frequently, as it seems, in later times (Tob. viii. 21). In the choice of a wife, excepting the prohibitions mentioned in § 107, there were only certain limitations for the priests (comp. § 34 f.), and in respect of heiresses, the restriction that they should not marry outside of their tribe (Num. xxxvi. 6 ff.); other prohibitions there were none, because there existed no consider-

able difference of rank or education from which unsuitable marriages could arise. As to the time of marriageability of either sex, the law lays down no rule; it is the Talmudists who first fix for the maiden the age of at least twelve years and one day, and for the husband of thirteen years and one day (2).—All that was needed for betrothal was the simple acceptance by the young woman of the offer made to her, with the assent of her parents or brothers; so that from that time forward the bride, even before their nuptials, owed her betrothed chastity, and the violation of it was reckoned the same as adultery, and punished with death (Deut. xxii. 23 ff.; comp. with v. 22, and Lev. xx. 10).

The marriage union was celebrated from high antiquity with a nuptial feast. The bridegroom in wedding attire, attended by his friends (מְרֵעִים, Judg. xiv. 11; *υἱοὶ τοῦ νυμφῶνος*, Matt. ix. 15), conducted his bride, adorned and veiled, from the house of her parents, and led her, attended by her companions, with song (Jer. vii. 34, xvi. 9), music, and dancing (1 Macc. ix. 37, 39), probably toward evening, with the light of torches or lamps (Matt. xxv. 1 ff.), to his own house or that of his parents, where the marriage feast was prepared (Judg. xiv. 10), and the joyous festivities were kept up by numerous guests (Gen. xxix. 22; 3 Macc. iv. 8; Luke xiv. 8) for several days, often seven (Judg. xiv. 12; Tob. xi. 19) or even fourteen days (Tob. viii. 19). No binding engagement took place. The bride was given over by her parents with a benediction to the bridegroom (Tob. vii. 13; comp. Ruth iv. 11 f.; Gen. xxiv. 59 f.), and brought on the night of the wedding into the bride-chamber (Gen. xxix. 23; Tob. vii. 16, viii. 1).—In later times, marriage contracts in writing were signed before the wedding (Tob. vii. 15) (3).

(1) The widespread opinion, that the Israelites, according to a custom very common in antiquity, and still prevailing in the East (see the proofs in Winer, *R. W.* i. 296 f.), required to buy their wives from the parents or relatives, has been contested by Saalschütz (*Mos. R.* p. 730 ff., and *Archäol.* ii. p. 192 ff.) on conclusive grounds, against which Rüetschi in *PRE.* iii. p. 661 f., has nothing of weight to advance.—The Old Testament knows only of a *Mohar*, מֹהַר, *i.e.* however, not "purchase money," but equivalent to the Arabic مهر, dos vel donum

sponsalitium, quod futuræ uxori promittitur, and to the Syrian ܡܗܪܐ, dotem dedit—*the bridal gift* or the present, which the bridegroom, after receiving the bride's assent, gave to *her*, not to her parents or kinsfolk. Neither has the verb מָהַר the signification: emit uxorem pretio *parentibus* soluto (Gesen. *Thes. s.v.*), either in Ps. xvi. 4, where the meaning is doubtful, or in Ex. xxii. 16 f., but: "to give a bridal present," and with accus. of person, "to woo with a bridal gift." The passage in Exodus runs: "If a man entice a virgin that is not betrothed, he shall surely seek her with a bridal gift to be his wife; and if her father utterly refuse to give her to him, he shall pay money *according to the bridal gift of virgins*," כְּמֹהַר בְּתוּלוֹת; *i.e.* in this case, too, he shall pay a sum of money corresponding to the worth of the gift usually bestowed by suitors on virgins, and that to the father of the seduced one; not, however, as purchase money for the daughter whom indeed he did not get to wife, but as a penalty for the shame brought on the father. That in this case the money was paid to the father is evident from the similar case, Deut. xxii. 28 f., where the man who had laid hold of a damsel not espoused, and lain with her, *i.e.* had violently humbled her, must pay to her father fifty shekels of silver and take her to wife, without being able to get divorce from her during his lifetime because he had humbled her. Here, too, the prescribed sum, which besides is not designated as *Mohar*, is not a payment with which he buys the daughter from the father, but a fine (like the hundred shekels in the case of the slandered young wife, Deut. xxii. 19) for the shame inflicted on the father by the humbling of the maiden. Only in this case the punishment is still further heightened by the fact, that he must take the seduced to be his wife and keep her without possibility of divorce.—In both the remaining passages in which *Mohar* occurs (Gen. xxxiv. 12 and 1 Sam. xviii. 25), the word does not denote a price paid to the father (parents or kin) for the wife, but the usual present to the bride. This is perfectly clear from the comparison of Gen. xxxvi. 12 (מֹהַר וּמַתָּן) with Gen. xxiv. 53, where Eliezer, after receiving Rebekah's consent, gives her silver and gold ornaments (as a bridal gift), and presents (מַתְּנוֹת = מַתָּן) to her brother and mother. "But it cannot possibly be said that the bride was bought, if what the bridegroom gave was a present which she herself received" (Saalschütz, *Mos. R.* p. 736 f.).—Finally, the passages Gen. xxxi. 15 and Hos. iii. 2 cannot be used to prove that the purchase of wives was an Israelitish custom. What follows from the former passage, in which Leah and Rachel say to Jacob: "Are we not counted of him

(our father) as strangers? for he hath sold us," is rather the opposite, viz. that the selling of one's own daughters to husbands was a course such as might be followed by a father, at the most toward strangers, certainly not toward his own daughters; and such as had not happened in the house of Bethuel, who had given Rebekah to be Isaac's wife without any purchase money (Gen. xxiv.), and in Laban's case arose only out of base greed, which used every means to gain money. From this it is impossible to deduce any popular custom; and as little is it possible to do so from Hos. iii. 2. Here, indeed, the prophet buys a wife by divine command, but an *adulteress* for a fixed price, that she may live with him for a time without playing the harlot or giving herself to another man. From this wholly singular case no conclusion can be drawn as to what was customary in marriages in Israel; and the buying of a wife cannot possibly be proved from the Old Testament as an Israelitish custom. For in the one place which treats of the selling (מָכַר) of daughters (Ex. xxi. 7), the bought maiden is destined only to be a concubine. — Even in Rabbinical marriage law, where the paying over of money or money's worth is one of the three forms of contracting marriage, it cannot be properly said that the wife is bought, because the gift is delivered to the woman herself (Saalschütz, *Mos. R.* p. 736 f.). And when Tacitus, *German.* c. 18, tells of the ancient Germans: "Dotem non uxor marito, sed uxori maritus offert. Intersunt parentes et propinqui, ac munera probant. . . . In hæc munera uxor accipitur atque invicem ipsa armorum aliquid viro affert: hoc maximum vinculum, hæc arcana sacra, hos conjugales deos arbitrantur," we can as little think here, with Winer, *ubi supra,* of the buying of a wife.

(2) Comp. J. Buxtorfi, *Synagoga jud.* c. vii. p. 143 sq. But as the commonest age for marrying, the eighteenth year is named for the young man in Mischna *Pirke Aboth* v. 21. Besides, it is well known that in southern lands, especially in the East, both sexes become very early mature; boys even of the age of from ten to twelve being able to beget, and girls of from nine to eleven to bear. Comp. my Bible commentary on 2 Kings xvi. 1, note; and Peschel, *Völkerkunde,* p. 227 f. [Eng. tr. p. 218 f.].

(3) In which the portion brought by the wife (נְדוּנְיָה, portion) and the amount assigned by the husband to the wife (כְּתוּבָה) was exactly stated. Comp. Mischna *Chetuboth* iii. 2 with the *Jerus. Gemara;* and the main points in Saalschütz, *Mos. Recht,* p. 727 ff., in the notes.

§ 110. *The Married State and Divorce.*

As among the Israelites the wife was not bought, but the young man, either under the direction, or at least with the consent of his parents, carrying out his own inclination, won his bride with a gift embodying his love and esteem; so the wife, in the state of marriage, was not the man's slave, but a helpmate subject to him in devoted love, who, indeed, willingly obeyed her husband as head and lord of the house; but at the same time, as his life-companion, shared with him work and care, joy and sorrow, and took active part in the work and management of the household (1).

In order to awaken and cherish in the nation the true mutual love of the wedded pair as the spiritual bond of marriage, the law not only prescribes that the man who has gained a wife, but not yet taken her, may leave the army before battle and return to his house, lest he should die in the fight and another take his betrothed (Deut. xx. 7); but also, if any one has just taken a wife, he need not go out with the army, but should be free from State obligations for a year, to enjoy his wife whom he has taken (Deut. xxiv. 5).—The law seeks, however, with great earnestness to prevent unchastity, to further purity and marriage fidelity, and to protect the female sex from that concupiscence of the male which is forbidden in the Decalogue. With this view it is required that, if any one has forced a maiden, he shall marry her, and pay to her father besides a fine of fifty shekels of silver, and never be able to divorce her (Deut. xxii. 28 f.). Further, if a man calumniated his newly married wife, alleging that he had not found her a virgin, he was to be punished with a fine of a hundred shekels of silver, to be paid to her father, and also to lose the right of ever divorcing her (Deut. xxii. 13–19). But if his accusation should turn out, on legal investigation, to be well founded, the woman was to be stoned to death before the door of her father's house, because she had committed a deed of shame (נְבָלָה) in Israel (Deut. xxii. 20 f.). The betrothed damsel, also, who had suffered herself to be humbled in the city, was to be stoned to death with her seducer before the city gate (Deut. xxii. 23 f.) (2). Similarly, adultery was not only forbidden in the Decalogue, but punished with the death

of both parties (Lev. xx. 10; Deut. xxii. 22) (3); and even lying with one's own wife during her issue of blood was threatened with cutting off (Lev. xx. 18). If, finally, a man suspected his wife of having had intercourse with another man, he might subject her to the ordeal described in § 61 (Num. v. 11 ff.), which was entirely fitted to bring the guilt or innocence of the suspected to the light.

(1) This relation of the wife to the husband meets us not only in the marriages of the patriarchs (comp. Gen. xvi. 6, 9, xxiv. 67, xxvi. 8, xxvii. 13, 42–46, xxxi. 4 ff.), but in later times in the case of several wives mentioned in sacred history—Hannah (1 Sam. i. 11, 24 ff.), Abigail (1 Sam. xxv. 14 ff.), the Shunammite (2 Kings iv. 8 ff.), and others, especially in the description of the virtuous housewife (Prov. xxxi. 10–31). This position to the husband, and in the house, was held by wives proper, even when a man had two. Only secondary wives shared the head of the house as concubines, not the rights of full wives. So far as their relation to wives proper may be learned from history—for in the law the secondary wife, פִּלֶגֶשׁ, πάλλαξ, παλλακίς, is not once mentioned—they were either the wife's maids, and as such subject to her, so Hagar, who is reckoned, Gen. xxv. 6, with Keturah to Abraham's פִּילַגְשִׁים; the maids of Jacob's wives, one of whom is expressly called in Gen. xxxv. 22 a concubine; or they were bought maids (Ex. xxi. 7 ff.), or captive women (Deut. xxi. 10–14), or finally, wives obtained by purchase, whom the man took to himself without further ceremony (without bridal gift or marriage), apart from their being or becoming his slaves; so the concubine of the Levite (Judg. xix. 1 ff.); comp. Saalschütz, *Mos. R.* p. 750 ff.

(2) The humbled maiden is subjected in this case to the same punishment as her seducer, "because she did not cry out in the city," *i.e.* did not rescue her chastity by calling for help (ver. 24). If, on the contrary, she were forced by a man in the field, where there were no other people near who might have come to her help, the man only was doomed to die as a violent seducer, but the woman escaped as innocent (vv. 25–27).

(3) Only lying with the slave intended for another man was punished merely with a measure of correction, and expiated with a sin-offering (comp. vol. i. p. 288).—Moreover, since the man in Israel might marry more than one wife, and besides his wife take concubines also, he committed adultery only when he was guilty of sexual intercourse with the married wife, or what was equivalent to the same, the betrothed bride of another man. Sexual intercourse with a (not betrothed) maiden was only

reckoned fornication, and this only when he would not take her as his wife or concubine.

As these ordinances have in view the hallowing of marriage, so also the Mosaic regulation in respect of *divorce* (Deut. xxiv. 1–4). If a man, finding in his wife something shameful or offensive (עֶרְוַת דָּבָר), dismissed her from his house with a writ of divorcement, and she became the wife of another man, he dared not again take her to wife, not even if the second man had also sent her away with a writ of divorcement, nor even if the second husband had died. The law requires neither divorce nor the giving of a writ of divorce in the case of separation, nor does it lay down a definite ground of divorce (4). Divorce, giving of a writ, and causes of divorce, are accepted as established by hereditary usage, and indulged because of the people's hardness of heart (Matt. xix. 8) (5). So long as the man was allowed to take more than one wife, or to have concubines besides; in other words, so long as the mutual relation of the wedded pair did not yet correspond to the nature of true (monogamic) marriage, so long divorce could not be wholly forbidden. Only the light-mindedness and self-will of the man (6) in dismissing a disagreeable wife were so far met by his being prohibited from taking her back again when she had been married to another, that marriage, as a divine ordinance, might not be wholly given over to the caprice of fleshly lust. Hence the law not only designates the separated wife who has married another as polluted (הֻטַּמְּאָה), and thus gives it to be pretty clearly understood that the re-marrying of a divorced woman is to be regarded as a pollution, or on the same level with fornication, but it condemns the reunion of such a divorced one with her first husband as "an abomination before Jehovah," because thereby fornication is carried still further, and marriage is degraded to the mere satisfaction of sexual passion. Thus the Mosaic ordinance aimed less at limiting divorce externally, though the certainty of not being able again to take a wife once dismissed, as soon as she entered into a second marriage, may have prevented many a thoughtless divorce, than at bringing home to the conscience of the people the sinfulness of divorce, because it is an occasion of pollution to the divorced wife. In this way it seeks to prepare for the truth: "That every one that putteth

away his wife, saving for the cause of fornication, maketh her an adulteress, and whosoever shall marry her when she is put away committeth adultery" (Matt. v. 32; comp. xix. 9).

(4) Deut. xxiv. 1–4 reads thus in the original: "When a man taketh a wife and marrieth her, and she findeth no favour in his eyes, because he findeth some unseemly thing in her, and he writeth her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house; and she departeth out of his house, and goeth and becometh the wife of another husband, and the latter husband hateth her, and writeth her a bill of divorcement, and giveth it in her hand, and sendeth her out of his house, or if the latter husband die who took her to be his wife: her former husband who sent her away may not take her again to be his wife after that she is defiled; for that is abomination before Jehovah," etc.

(5) Because, however, Moses neither abolishes nor forbids existing usage, the Jewish scribes have found in it a legal sanction, and establish on it a formal right of divorce. But how little this passage of the law is suited to such a purpose is shown by the vague and manifold interpretations of the עֶרְוַת דָּבָר, which is named as the ground of divorce. This expression occurs also in Deut. xxiii. 14, of things which profane the camp of Israel, both of sex defilement by a chance of the night (pollution), and of excrements not covered with earth, and therefore denotes: something shameful or offensive, ἀσχημοσύνη πράγματος, LXX. Deut. xxiii. 14, and ἄσχημον πρᾶγμα, xxiv. 1; so the Syrian; Saad.: *turpitudo aliqua* or *res fœda*; *Onkelos* in both places: עֲבֵירַת פִּתְגָם, the transgression of a thing. How very variously the expression was interpreted appears especially from the contention over it of the schools of Hillel and Shammai. The Hillelites explained it: "On account of any case whatever, or anything unbecoming;" *e.g.* if the wife had let the soup burn, or even, according to R. Akiba: If another woman pleased the husband better. The Shammaites, on the contrary, understand it of fornication and other things unbecoming a wife. Comp. Mischna tr. *Gittin* ix. 10; Selden, *Uxor. Heb.* l. 3. c. 18 and 20; Buxtorf, *De sponsalib. et divortiis*, p. 85 sqq. The Hillelite interpretation became *Halacha, i.e.* ruling practice; comp. Joseph. *Antiq.* iv. 8. 23, and Matt. xix. 3: κατὰ πᾶσαν αἰτίαν; in opposition to which Christ points out to the Jews that Moses did not command divorce (ἐνετείλατο), but only allowed it (πρὸς τὴν σκληροκαρδίαν ὑμῶν ἐνέτρεψεν ὑμῖν, Matt. xix. 8). — The Rabbinical ordinances regarding divorce and divorce writ, are to be found in the tr. *Gittin* (Mischn. ed.

Surenh. iii. p. 322 sqq.), where a form of divorce writ occurs. Comp. Saalschütz, *Mos. R.* p. 800 ff.

(6) The wife, as not being possessed of equal privileges with the husband, had no right of divorce, so that Josephus (*Antiq.* xv. 7. 10) describes the conduct of Salome, who sends a writ of divorce to her husband Kostobarus, as offending against the law of the fathers, and derives it from an invasion of Greek and Roman usage.—Neither is it possible, after the example of the Rabbins, with Michaelis, *Mos. R.* ii. § 120, and Saalschütz, *Mos. R.* p. 806, to derive from the passages, Ex. xxi. 8–11 and Deut. xxi. 14, a right possessed by the wife to claim divorce because of the refusal of marital cohabitation, or because the husband left her to want food or clothing, and did not maintain her according to his rank. For the rules laid down here as to bought maidens and captives who were taken as concubines or wives, that if they failed to please their husbands, these should not be at liberty to use or sell them as slaves, do not admit of being applied to ordinary wives, taken as free women in marriage.

SECOND CHAPTER.

CHILDREN AND SERVANTS.

§ 111. *Upbringing of Children.*

It is of children that the house, the family, is built (Gen. xvi. 2, xxx. 3). The conception and bearing of children was a matter of longing and joy among the Israelites, especially to the women (Gen. xxiv. 60, xxx. 1; 1 Sam. i. 11). On the ground of the twofold blessing connected with creation and the covenant promise (Gen. i. 28, xii. 2, 7, xiii. 16), a numerous, blooming group of children was thankfully acknowledged as a special gift of God's grace (Deut. xxviii. 4; Ps. cxiii. 9, cxxvii. 3 ff., cxxviii. 3, 6; Prov. xvii. 6; Eccles. vi. 3); and sterility in marriage was felt sorely as a divine visitation (Gen. xvi. 2, xxx. 23; 1 Sam. i. 6 f.; Luke i. 25), and deeply lamented as a punishment from God's hand (Isa. xlvii. 9, xlix. 21; Hos. xiv. 9).—At child-birth women were helped (Gen. xxxv. 17, xxxviii. 28; Ex. i. 15) even in the time of the patriarchs by nurses, midwives (מְיַלֶּדֶת) (1). The newly born infants, after having the navel cord cut, were bathed in water, rubbed with salt, wrapped in swaddling-clothes (Ezek.

xvi. 4), and, as a rule, nursed and tended by the mothers themselves (Gen. xxi. 7; 1 Sam. i. 23; 1 Kings iii. 21; Song of Sol. viii. 1); only when these died or were weakly, and in princely families (2 Kings xi. 2; comp. Ex. ii. 9), by nurses (מֵינֶקֶת).—After eight days boys were circumcised and got their name, which in more ancient times was often chosen from some remarkable circumstance connected with the birth (Gen. xxv. 25 ff., xxxv. 18, xxxviii. 29), or according to the mother's hopes and wishes (Gen. v. 24, xxix. 32 ff.; 1 Sam. i. 30), but in later times was frequently chosen from some esteemed ancestor or relative (Luke i. 61) (2).—After the lapse of the legal interval of forty days in the case of a male child, and eighty in the case of a female, the mother had to offer a sacrifice of purification in the temple (Lev. xii. 1–8); to present the male first-born child to Jehovah, and to redeem it with five shekels of silver (Num. xviii. 15 f., comp. with iv. 47 and Lev. xxvii. 5).—The weaning of the child followed somewhat late, sometimes not till two or three years of age (2 Macc. vii. 27); it was celebrated with a festive entertainment (Gen. xxi. 8) on special occasions, also with the offering of a sacrifice (1 Sam. i. 23 f.).

The mother looked to the training of the children in their earliest years (Prov. xxxi. 1; 2 Tim. iii. 15); and the daughters remained, no doubt, till the time of their marriage chiefly under the mother's oversight and guidance; while the boys, as they grew up, were trained by the father, or in well-to-do families given over to special tutors (אֹמֵן, Num. xi. 12; Isa. xlix. 23) to be trained and educated (3).—The parents or tutors also gave the needful instruction, chiefly in reading and writing, but especially in the law; not only on the commandments and doctrines, but also regarding the deeds and revelations of the Lord to His people (Ex. xii. 26, xiii. 8, 14 f.; Deut. iv. 10, vi. 7, 20 ff., xi. 19; Prov. vi. 20; Susanna 3), for schools for boys were not set up till a comparatively late time, and only in the larger cities (4).—The great end of training and education was the fear of God as the beginning of wisdom (Ps. cxi. 10; Job xxviii. 28; Prov. i. 7), which also lays a foundation for the true piety of children towards their parents.

Already in the Decalogue reverence for parents is impressed

on children as a condition of their prosperity (Ex. xx. 12; Deut. v. 16; Lev. xix. 3), and the authority of parents over their children is consecrated by the whole law as inviolable. The child who cursed his parents is not only threatened with the divine curse (Deut. xxvii. 16), but is to be put to death equally with him who actually does violence to his father or mother (Ex. xxi. 15, 17; Lev. xx. 9; comp. Prov. xx. 20; Matt. xv. 4). Even the son who, in defiance of his father's repeated warnings and corrections, persevered in notorious vices, drunkenness, gluttony, and the like, was, on the complaint of his parents, to be punished by the authorities of the city with stoning (Deut. xxi. 18–21 f.) (5). Thus was full authority secured to parents over their children, while at the same time the abuse of unlimited parental power (6) was provided against.—The father was not at liberty to deprive the first-born of his rights of primogeniture, in favour, for example, of a younger son by a second and more loved wife (Deut. xxi. 15–17); he could, indeed, render nugatory a vow made by a daughter, as the husband could that of his wife, but only if he did so immediately on hearing it; if he kept silence then, he could not prevent its fulfilment afterwards (Num. xxx. 4–9). On the other hand, he had unlimited power to marry his daughters, and even to sell them as maids into concubinage, only not to a foreign people (Ex. xxi. 7 f.). —According to this view, it need hardly be stated that it was a duty laid on children, not only to support and cherish their parents when these had grown old and weak, but to strive to gain their parents' blessing, and not draw down their curse (Sir. iii. 11).

(1) Israelitish women, however, gave birth often so easily, as is still the case with women of Arabia and the East, that they did not need this help (Ex. i. 19); comp. Knobel on this passage; Friedreich, *Zur Bibel*, i. p. 114 ff.; and Dr. L. Kotelmann, *Die Geburtshilfe bei den alten Hebräern*, Marburg 1876.

(2) More on this subject, see in Winer, *R. W.* art. "Name."

(3) The word אֹמֵן denotes, in the first place, the guardian of the little child; but from 2 Kings x. 1, 5, it appears that these servants remained in charge of the boys till they became young men, and so were their tutors, παιδαγωγοί or ἐπίτροποι (Gal. iv. 2), called by the Persians *Laleh* (Rosenmüller, *A. u. N. Morgenl.* vi. p. 272). There were often chosen for the purpose, proved

and educated slaves (Josephi *Vita*, 76), as in Greece; comp. Hermann, *Lehrb. d. greich. Antiq.* iii. 1, p. 169 f.—Kings' sons were, no doubt, also trained by prophets (2 Sam. xii. 25).—On the education of children, comp. the instructive discussions of G. Fr. Oehler in the article, "Pädagogik des A. Test.," in Schmid's *Pädagog. Realencyklop.* v. pp. 668 ff. and 681 ff.

(4) Joseph. *Antiq.* xv. 10. 5. According to *Gemara baba bathr.* f. xxi. 1, Jesus the son of Gamaliel is said to have been the first who instituted schools for boys in cities; comp. § 132.

(5) Parricide is as little known to the law of Moses as to the legislation of Solon (Cicero, *pro Rosc. Amer.* c. 25) or Romulus (Plutarchi, *vit. Rom.* c. 22). Neither is there the slightest trace among the Israelites of the killing or exposure of children, an inhuman crime widely spread in ancient heathendom, and to this day in China. The exposure of Moses (Ex. ii. 3 ff.) was a matter of necessity, conjoined with the hope of thereby saving the child.

(6) This unlimited power was exercised by the patriarchs (Gen. xxxviii. 24), and was possessed also by the ancient Greeks and Romans. Even after Solon's time the Athenian could put his daughter to death if he found that she had not preserved her innocence till her marriage (Aeschin. c. *Timœum*, c. 74); and, among the ancient Romans, the father had the power, according to Dionys. lib. ii. c. 27, of imprisoning his son, scourging him, holding him to his work in the fields by fetters, and even of putting him to death; and that though the son had already taken part in the business of the State. But this right was soon limited among the Greeks; nay, in the end, it was so weakened that children could abuse their free relation to their parents. In Rome, also, the father's right to sell his child was already limited by the twelve Tables (comp. Jhering, *Geist des Röm. Rechts*, Bd. ii. p. 190 ff.); and the right, also, of killing his child was taken, by the emperors, from the head of the house. Comp. on this subject, H. Dernburg, *Die Rechte der väterlichen Gewalt*, Zürich 1854.

§ 112. *Servants and other Inmates of the House.*

To the household belong servants and other inmates. The male and female servants of the Israelites, as of all the peoples of antiquity, consisted chiefly of slaves, or men-servants and maid-servants held as property (עֲבָדִים וּשְׁפָחוֹת), who were partly bought with money from the neighbouring nations or from foreigners resident in the land (מִקְנַת כֶּסֶף), partly taken as captives in war, partly children of slaves born in the house

(יִלִידֵי בַיִת). Moreover, even Israelites might fall into servitude or slavery, not only to their brethren, Israelitish citizens, but even to settlers or foreigners dwelling in the land; either when one, in consequence of poverty, sold himself personally, or as a father with his wife and children (Ex. xxi. 2 f.), or when one was sold by the authorities as a slave on account of theft committed, because he was unable to compensate for the thing stolen (Ex. xxii. 2) (1).—Without violently abolishing slavery, the Mosaic law seeks to soften its severity, and to convert it into a relation of service; an essential difference, however, in this matter being made between Israelites and foreigners. Slaves of foreign origin were the distinct property of their masters, and, like other possessions, were inherited by children and children's children (Lev. xxv. 46). But every Israelite (male or maid) who had become a slave might not only be redeemed at any time by his relatives, but, if this did not take place, he was bound to receive his freedom without payment in the seventh year; and, besides, he must not go out empty, but with a present of cattle and fruits (Ex. xxi. 2 f.; Deut. xv. 12–15) (2); the man-servant, indeed, without wife and children, if he had not had them until his time of slavery; whereas, on the contrary, the wife brought with her husband into slavery received her freedom at the same time with her husband (Ex. xxi. 3 f.; Jer. xxxiv. 8 f.).—But if a servant, from love to his master, or to his wife and children, did not care to make use of the freedom allowed him in the seventh year, but wished to remain in his master's house, he was brought before the elders, and his one ear bored to the door or post with an awl, in token that he was to serve for ever, *i.e.* be the property of his master for life (Ex. xxi. 6; Deut. xv. 17) (3).—An exception to this rule is formed by the Israelitish daughter, whom her father had sold to another Israelite to be his maid לְאָמָה, *i.e.* housekeeper and concubine. If she pleased not her lord as concubine, she was to be immediately redeemed, not to be sold to a strange people; or, if her master intended her to be his son's concubine, she was to have the rights of a daughter; and if the son took another wife, she was to suffer no diminution of support, clothing, and cohabitation; and if this were not done, she must go out free or without money (Ex. xxi. 7–10) (4). Even the captive

whom an Israelite took to wife, if she fail to please him, could neither be sold for money nor used as a slave, but allowed to go free as she chose (Deut. xxi. 13 f.) (5).—Besides this, all slaves of Hebrew descent, with their children, obtained freedom without ransom in the jubilee year (Lev. xxv. 41; Jer. xxxiv. 8 f.); those, too, who in consequence of poverty had become the slaves of wealthy settlers in the land. These, moreover, must be set free at any time by their masters, if they were either redeemed by their relatives or had earned enough to buy their freedom, the purchase-money being determined according to the number of years still remaining till the next jubilee year, and the service being reckoned according to the pay of a hired labourer (Lev. xxv. 47 ff.).

In general, neither Israelite nor stranger in Israel was allowed to impose slave service on the Hebrew who had lost his freedom, or to rule over him with harshness, but to treat him as a hired servant (Lev. xxv. 39, 43, 53). Further, men-servants and maid-servants, without distinction of origin, were equally with freemen to enjoy the rest of the Sabbath (Ex. xxiii. 12; Deut. v. 14 f.), to partake of the fruits which grew without sowing in the Sabbatic year (Lev. xxv. 6), as well as of the sacrificial meals (Deut. xii. 18) and the joys of the feasts (Deut. xvi. 11). Slaves, indeed, were required to work diligently in the service of their masters, and might be punished by them, though only in measure; for the law not only punished the death of slaves as murder, but for every injury of any member of the body (eye, tooth), it declared freedom to the slave (Ex. xxi. 20, 26 f.); and in the case of a servant who had escaped from a hard master, it prescribed that he should not be given up, but allowed to live unmolested in the place which he should choose in one of the cities of Israel (Deut. xxi. 17 f.). Hereby the lot of the slaves of the Israelites was greatly mitigated in comparison with the lot of those belonging to other ancient peoples.

(1) Comp. M. Mielziner, *Die Verhältnisse der Sklaven bei den alten Hebräern, nach bibl. u. talmud. Quellen dargestellt*, Copenhagen 1859; and Oehler, "Sklaverei bei den Hebräern," in *PRE.* xiv. p. 464 ff.—That a man might be claimed personally and with his children by his creditors because of insolvency and sold into slavery, is not clearly stated in the law. In fact,

however, creditors did thus claim the person and children of a debtor (2 Kings iv. 1; Neh. v. 5; comp. Isa. l. 1; Job xxiv. 9). This procedure is reckoned by Winer, *R.W.* ii. p. 475, and Mielziner, p. 15, "not (as among Greeks now and again, Becker, *Charikl.* ii. p. 32) legal;" whereas Michaelis, *Mos. R.* iii. § 148, and Saalschütz, *Mos. R.* p. 707, regard it as lawful. The passages on the subject, Lev. xxv. 39 and 47, may be understood in this way, that the impoverished man sells himself to his neighbour, because he is not in a position to support himself and his family. But they may be also so understood as to imply, that not being able to pay his debts, he was forced to sell himself, or directly adjudged by the law courts, as a slave to his creditor, to work off his debt till the jubilee year.

(2) Since the law speaks of the "Hebrew servant" (עֶבֶד עִבְרִי), and does not use the name "Israelite," Saalschütz does not understand Israelites as meant, but either "an altogether peculiar class of such, as, without belonging to heathendom, were yet not to be regarded as proper Israelites, but formed a middle class that had been in servitude from their birth" (*Mos. R.* p. 730 ff.), or "kinsmen who had come over from the land of the Hebrews, *i.e.* the original native land, with whom there was a standing league, Gen. xxxi. 44 ff." (*Archäol.* ii. p. 240). But these views are disproved, not only by Jer. xxxiv. 9, where עִבְרִי is explained by יְהוּדִי, but also by Deut. xv. 12, where הָעִבְרִי is clearly designated by the previous אָחִיךָ, *thy brother*, as an Israelite. Against this neither can Lev. xxv. 35 be urged, because here, too, אָחִיךָ is not used "of the stranger," but it is only said: "as a stranger and sojourner shall he (thy poor brother, who has been forced to sell his possessions) live by thee." Comp. also Knobel on Ex. xxi. 2.

(3) The boring of the ears is found among many Eastern peoples as a token of servitude, not only in the case of slaves, but also dervishes and other persons devoted to a deity. See the proofs for this in Iken, *Dissertatt.* i. p. 226 sq.; Rosenmüller and Knobel on Ex. xxi. 6.—Theodoret, *quæst.* 45 on Ex. etc.; *e.g.* Michaelis (*Mos. R.* ii. § 127) and Saalschütz (*Mos. R.* p. 698) are wrong in regarding this symbolical act prescribed by the law as implying something shameful or despicable, inasmuch as Moses seeks in every way to protect and restore personal freedom, and could not therefore approve of any one voluntarily devoting himself to perpetual slavery. Only this does not lie in the spirit of the law, which derives the wish to be for ever a servant from his love to his master, his wife and his children (Ex. xxi. 5), and thus esteems love and the allegiance of love higher than loveless personal freedom.—Mistaken also is the

Talmudic-Rabbinical explanation of the לְעֹלָם, *for ever*, which makes it denote till the jubilee year; because, contrary to the use of the word, comp. 1 Sam. i. 22, and because in Lev. xxv. 46 it occurs of a servitude which does not cease with the jubilee year. It is also plain from the declaration of the servant: "I will not go out free" (Ex. xxi. 5), that a servitude for ever (life-long) is meant, apart altogether from the fact that the token of slavery remains imperishably in the bored ear.

(4) The grounds for taking Ex. xxi. 7 f. in the above sense, and not understanding it as treating of the sale of a daughter merely to be a slave, are given by Vitringa, *Observatt. ss.* lib. iii. c. 14, § 4 sqq.; and Hengstenberg, *Beiträge zur Einl.* iii. p. 438 ff. Comp. also Saalschütz, *Archäol.* ii. p. 243; and Mielziner, p. 39 ff.

(5) Among the higher classes in Arabia it is also counted shameful to sell a concubine, especially if she has become a mother. Comp. Burckhardt, *Arabia*, i. pp. 341, 342; and Tornauv, *Moslem. Recht*, p. 184.

To other *house inmates* are to be reckoned such widows and orphans, poor and strangers, as had no roof of their own, and were forced to seek support in the houses and families of kindred and strangers. The treatment due to them as members of the household was directed by the relative exhortations to love and charity, and the repeated prohibitions against oppressing them, together with threatenings of righteous divine retribution for any wrong done to them, Ex. xxii. 20 ff.; Deut. x. 18 f., xxiv. 17 f., xxvii. 19.

With the poor and needy are also included *day labourers*, who worked for a fixed hire, which must not be withheld from them, but paid before sunset, Deut. xxiv. 14 f.

THIRD SECTION.

FAMILY LIFE IN JOY AND SORROW.

§ 113. *Social Intercourse. Amusements. Hospitality.*

Beyond the family the bond of human society is extended by the intercourse of single families with one another, and by the lively interest we take in the concerns of our neighbour, our brother in the wider sense; and that not only among

compatriots, but also among foreigners whom we meet in the intercourse of life. Intercourse with other men develops friendship, which not unfrequently forms a stronger and more intimate bond of spiritual fellowship than bodily relationship. Friendship, springing in its deepest source from spiritual affinity, is preceded and preserved by sociality; but sociality is cherished by certain forms of intercourse which vary in different nationalities.

The *social fellowship* and friendly intercourse of the Israelites with one another had a strong natural basis in their common descent from Abraham, and still more nearly from Jacob, which was strengthened by the choice of all Jacob's posterity to be the covenant people, and was spiritually ennobled by the instruction given in the law. — The greeting at meeting or entering another's house comes down from patriarchal times, though it was probably expressed at first more in inquiries after their mutual welfare (שְׁאַל לְשָׁלוֹם, Gen. xliii. 27; Ex. xviii. 7; Judg. xviii. 15; 1 Sam. x. 4), and "health" or "peace to thee" (שָׁלוֹם לְךָ) did not become the current greeting till later (Judg. xix. 20; 1 Chron. xii. 18). For this also other forms, such as "God be gracious to thee" (Gen. xliii. 29), or "Jehovah be with thee," or "Jehovah bless thee" (Judg. vi. 12; Ruth ii. 4), were customary (1). The greeting, called from its character blessing, בָּרוּךְ, 2 Kings iv. 29, was conjoined with bowing (Gen. xxiii. 7), or originally perhaps consisted of this only and of the immediately following inquiry after the person's welfare, whereby respect and interest were shown him; and this became, before persons of quality, a bowing to the ground (2). Friends and kinsfolk used to kiss one another on meeting (Gen. xxxiii. 4; Ex. iv. 27, xviii. 7; 1 Sam. xx. 41, etc.), and that without distinction of sex (Gen. xxix. 11), and to embrace (Gen. xxix. 13).—To the testimonies of respect with which superiors were met, belonged the bringing of a present of costly products, clothes, ornaments, and such like (Gen. xxxii. 14 ff., xliii. 11), which the receiver frequently responded to with return presents (1 Kings x. 10, 13). In conversation the inferior spoke of himself in the third person, called himself the other's servant (Gen. xviii. 3, xix. 2, xxxiii. 5, xliii. 28; Judg. xix. 19), and him his lord (Gen. xxiv. 18; 1 Sam. xxvi. 18) (3).—The ancient custom,

according to which younger people stood up respectfully before the aged and honourable (Job xxix. 8), is inculcated in Lev. xix. 32 as an expression of godly fear.—Leave-taking also took place with an obeisance, benediction (Gen. xlvii. 10), and kiss (Gen. xxxii. 1; Ruth i. 14; Tob. x. 13; Acts xx. 37).

(1) Comp. also the εἰρήνη ὑμῖν, Luke xxiv. 36, John xx. 19, 26, but which here expresses more than the common greeting.—The Arabs of the present day have also, besides the usual *Es-selâm alekum* (health to you), with the answer, *Waalikum es-selâm* (also to you be health), various other forms, such as "good morning," "good evening," "under God's protection," "God preserve thee." Comp. Wellsted's *Travels*.—That the ancient Hebrews on meeting "inquired after one another's welfare in long wordy forms," as the modern Easterns do (comp. Winer, *R.W.* i. p. 502), cannot be proved from 2 Kings iv. 29 and Luke x. 4; comp. my comment. on 2 Kings iv. 29.

(2) The Hebrew language has two words for bowing, קָדַד and הִשְׁתַּחֲוָה, the difference of which is given by Saalschütz, *Archäol.* ii. p. 128, to this effect, that the former means the inclination of the head, the latter the inclination of the whole body. Hardly with right; for not only does הִשְׁתַּחֲוָה אַפַּיִם אַרְצָה, *to bow oneself with the face to the ground* (Gen. xlii. 6, etc.), occur, but also קדד אפים ארצה, and that preceding הִשְׁתַּחֲוָה (1 Sam. xxiv. 9, xxviii. 14; 1 Kings i. 16, 31), and interchangeably therewith the לְאַפָּיו or נָפַל עַל־אַפָּיו, *to fall on one's face* (1 Sam. xxv. 23; 2 Sam. xiv. 4), or נָפַל אַרְצָה, *to fall to the ground* (Gen. xliv. 14; 2 Sam. i. 2), or נָפַל לִפְנֵי פ׳, *to fall down before one* (2 Sam. xix. 19).—There was also a bowing (כָּרַע) with the knee (2 Kings i. 13; comp. Matt. xxvii. 29; Acts x. 25), or kneeling down with the face to the ground (2 Chron. vii. 3).—All these words are used also of bowing before God and of adoration (Gen. xxiv. 26; Ex. xii. 27; 1 Kings viii. 54, etc.).—If an inferior while riding met his superior, he dismounted immediately to bow (Gen. xxiv. 64; Judg. i. 14; 1 Sam. xxv. 23), as is customary to the present day in the East. Comp. Winer, *R.W.* i. p. 501.

(3) Sometimes the self-abasement went so far that one called himself a dog, as much as to say, a good-for-nothing (2 Sam. ix. 8; 2 Kings viii. 13). Comp. my commentary on the latter passage.

Of the public amusements of the Israelites we know little. The chief pleasures of modern Orientals (coffee-houses and public baths) were unknown to them. Their places of amuse-

ment, where the inhabitants of a town gathered for social recreation, were the open spaces at the gates (Ps. lxix. 13; Lam. v. 14). Young men and women amused themselves playing on the harp, singing, and dancing (Lam. v. 14 f.). Wives and maidens celebrated with song, music, and dancing joyful events in the history of the land or nation, glorious victories, and the like (Ex. xv. 20; Judg. xi. 34; 1 Sam. xviii. 6 f.). Commanders and monarchs returning home victorious were greeted by the people, and honoured with jubilant acclamations: Long live the king! (2 Sam. xvi. 16); and, accompanied with flutes and loud shouts of triumph (1 Kings i. 40); the way along which they went was covered with carpets or garments (4), strewed with branches or flowers (2 Kings ix. 13; Matt. xxi. 8); and, when the entrance was by night, lighted with torches (2 Macc. iv. 22).—Important and joyful family occurrences were celebrated with banquets (comp. § 100); for example, the weaning of children (Gen. xxi. 8), birthdays (Job i. 4), especially at the courts of princes (Gen. xl. 20; Matt. xiv. 6), marriages (Gen. xxix. 22; Judg. xiv. 10; John ii. 1), even the arrival of valued friends (2 Sam. iii. 20; Tob. vii. 8 f.; 1 Macc. xvi. 15; Luke v. 29, xv. 23), and other persons to whom it was wished to show love and esteem (2 Kings vi. 23). The close, also, of field labours, sheep-shearing, grape-gathering, was festively celebrated with joyous feasting (1 Sam. xxv. 2, 8, 36; 2 Sam. xiii. 23; Judg. ix. 27). Besides these, the sacrificial meals which were held in the sanctuary at the annual feasts were days of great and holy joy.

(4) This custom has not yet quite gone out in Palestine; comp. Robinson's *Palestine*.—More regarding these obeisances, which are also common among other peoples, in Dougtæi, *Analecta ss.* ii. p. 39 sq.; and Paulsen, *Die Regierung der Morgenländer*, p. 229 f.

Finally, a main feature of Israelitish sociality was formed by the *hospitality* (5) cultivated throughout the whole of antiquity, and highly cherished to the present day among the Arabs. To let a wanderer pass a night on the road, and not to open to him the door of one's tent or house, was regarded as a sign of base avarice (Job xxxi. 32). Even the passing

stranger was constrained to come into the house or tent; water was provided for his feet; food and drink were prepared and set before him; the beasts and servants whom he had with him were cared for; a bed was willingly provided for him; and the host held himself bound to protect his guest against all annoyance, and on his departure to conduct him some distance on his way (Gen. xviii. 2 ff., xix. 1 ff., xxiv. 31 ff.; Judg. xix. 17 ff.).

(5) Comp. Robinson, i. 81, 445, ii. 18 f.; and many other proofs in Winer, *R. W.* i. p. 390 f.

§ 114. *Sicknesses.*

The welfare of this earthly life is greatly troubled by sicknesses and pains, which in their deepest source spring from the sin-caused disturbance of the equilibrium between the powers of body and of soul, and of the action and reaction subsisting between them, or which are "effects of divine wrath" (Ps. xc. 7 f.) (1). Hence sicknesses are not only represented in Scripture as divine chastisements, and threatened in the law as judgments against transgressors of the divine commands (Lev. xxvi. 16; Deut. xxviii. 22, xxvii. 35), but now and again pestilence and other plagues and epidemics are visited because of their sins on the whole nation or on individual persons (2 Sam. xxiv. 15; 2 Kings v. 27, xv. 5; 2 Chron. xxi. 18, etc.).

In general the Israelites did not suffer much, in their healthy climate, from epidemic sicknesses, and with their simple, well-ordered life enjoyed good strong health (2). Even epidemics, as extraordinary divine judgments, never seem to have lasted long (2 Sam. xxiv. 13 and 15). Yet there prevail in the Holy Land, especially in spring and autumn, various acute diseases, mostly of short continuance, especially intermittent, bilious, and inflammatory fevers (3); and in summer, dysentery, produced by sunstroke (מַכַּת שֶׁמֶשׁ, Ps. cxxi. 6); inflammation of the head, often fatal (2 Kings iv. 19; Judith viii. 3; comp. Jonah iv. 8) (4); fits, apoplectic paralysis, and various chronic troubles. Blindness, too, was not unfrequent; inflammation of the eyes, caused by the quantities of dust and

fine sand, but especially the contrast between the heat and glow of the sun's rays during the day and the sea air on the coasts and the heavy night dews producing inflammation of the eyes, which often had an unhappy issue (Lev. xix. 14; Deut. xxvii. 18; Matt. ix. 27, xii. 22, xx. 30, xxi. 14; John v. 3) (5).

(1) Comp. Delitzsch, *System of Bibl. Psychology*, p. 337 f. Only the connection between sickness and sin must not be so applied to the individual as to involve that his personal guilt is measured by the amount of his physical sufferings.

(2) Tacitus, *Hist.* v. 6, also says of the Palestinians: corpora hominum salubria et ferentia laborum. Comp. Robinson, *Physical Geography of the Holy Land.*

(3) Comp. T. Pruner, *Die Krankheiten des Orients*, Erl. 1847, pp. 87 and 360. Tit. Tobler, *Beitrag zur medicin. Topographie von Jerusalem*, Berlin 1855; and Robinson, *Phys. Geogr.* Fevers are especially frequent in Jericho in the Ghor, the Egyptian heat of which is unwholesome of itself, and in connection with the marshes in summer, gives rise to intermittent fevers. Comp. Robinson's *Palestine*, i. pp. 553, 554.

(4) Comp. Rosenmüller, *A. u. N. Morgenl.* iii. p. 221. If sunstroke does not merely produce congestion in the face and back of the hand (erythema), but affects the brain, then the inflammation of the cuticle of the brain, caused by hyperæmia, sets in, in most cases with a fatal result between the fourth and seventh day. Comp. Pruner, *ubi supra*, pp. 118 and 297 f.

(5) Diseases of the eye are common in all Eastern lands, the desert excepted, especially in all Syrian coast towns, but most of all in Egypt, a hyperæmic condition of the brain caused by the heat of the climate predisposing the eye to all sorts of disease; comp. Pruner, pp. 432 ff., 456 f.; and Tobler, *ubi supra*, p. 37 f.—The blinding of the aged Tobias (Tob. ii. 10) arose probably from an inflammation occasioned by the sharp droppings of a bird (swallow?) falling on the cornea, on which white, hard spots (λευκώματα) formed, as a cure for which the gall of fish, or of the ox or sheep, is used to the present day. Comp. Fritzsche on Tobias ii. 10; Friedreich, *zur Bibel*, i. p. 250 f.; and Trusen, *Sitten, Gebr. u. Krankh.* p. 217 f. Smiting with blindness (סַנְוֵרִים), in Gen. xix. 11 and 2 Kings vi. 18 ff., was a spiritual blinding of the eyes, so that the truth was no longer clearly seen; in the case of Saul (Acts ix. 9), a darkening of the bodily power of vision, caused by the heavenly light which suddenly streamed upon him, which, as it smote him miraculously, was again miraculously healed (vv. 3 and 12). Finally, the blindness with which the Magus Barjesus was suddenly

smitten for a time (ἄχρι καιροῦ) by the hand of God (Acts xiii. 11), was perhaps externally effected by a darkening of the cornea, which, if it arises naturally, from dark spots on the cornea (ἀχλύς), generally disappears of itself, or may be dispersed by irritants.

The particular diseases which are mentioned in the Old and New Testements can hardly be exactly defined, partly because very few are minutely described, partly because the forms of disease change greatly in the course of thousands of years (6). —They fall into *physical, psychical,* and *demoniacal.*

I. *Physical diseases.*—Of the punishments threatened (Lev. xxvi. 16 and Deut. xxviii. 22) for disobedience to God's commands, *consumption* (שַׁחֶפֶת) probably denotes the various forms of hectic fever (7); and קַדַּחַת, strictly *inflammation,* πυρετός, *febris;* דַּלֶּקֶת, strictly *burning;* and הַרְחֹר, *glowing,* all sorts of inflammatory, gastric, and gastric-nervous fevers (8), perhaps including *malignant fever, febris perniciosa,* and the *pestilence,* which is otherwise called דֶּבֶר, and is specially mentioned Deut. xxviii. 21, though it is not so characterized in its general features in ver. 22, "as it still occurs in those regions attended with great prostration, extreme exhaustion of body, chill succeeded by heat, which passes into an inward, intolerable burning, with heaviness of the head, stupefaction, rigid lack-lustre or wild rolling eyes, fear, restlessness, raving, nausea and discharge of bilious, bloody or black matter, unquenchable thirst, painful boils and carbuncles under the armpits, in the groin, and under it" (9).

(6) The older literature regarding the diseases of the Bible, which in medical and theological respects is no longer sufficient, is given by Leyrer in *PRE.* viii. p. 49 (art. "Krankheiten"). Unimportant also are the medical fragments of J. B. Friedreich, *zur Bibel,* Bd. i. 193 ff.; and J. P. Trusen, *Sitten, Gebräuche und Krankheiten der alten Hebräer,* 2nd ed. Bresl. 1853. Very thoroughgoing, on the other hand, is the short collection of Leyrer, *ubi supra,* and of von Kamphausen in Riehm's *Hwb.* ("Krankheiten"); and for comparison with the forms of disease in the modern East, especially Egypt, the work of Pruner, comp. note 3, which is medically very satisfactory.

(7) A local consumption (atrophy), unaccompanied with fever, is the χεὶρ ξηρά, Matt. xii. 10; Mark iii. 1; Luke viii. 6 f., healed by Jesus, a case such as may arise from paralysis of

the nerve, or in consequence of dislocation or gout, and which is incurable if the life of the nerve is gone. On the contrary, the miraculous stiffening of Jeroboam's hand (1 Kings xiii. 4 and 6) seems only to have been a divinely inflicted tetanus.—At the present day, lung-phthisis (tuberculosis) prevails in the Syrian coast towns and in Egypt, especially among negroes, Abyssinians, and scrofulous Jews, but produced by causes which probably seldom entered into Israelitish ways of living.

(8) Regarding the πυρετὸς μέγας of Peter's mother-in-law, Matt. viii. 14 f., Luke iv. 38 f., and the fever, John iv. 46 ff., nothing more can be determined than that in both cases it was of an acute kind. The opinion of Friedreich, *ubi supra*, p. 273, that the former was an intermittent fever, rests only on the rationalistic assumption that Jesus healed it sympathetically.

(9) Comp. Trusen, *ubi supra*, pp. 202 and 203. Regarding the fevers now prevailing in Egypt, Syria, and Arabia, Prüner treats fully, p. 346 ff.; and regarding the pestilence, p. 387 ff. The sickness of King Hezekiah (2 Kings xx. 1; Isa. xxxviii. 1) is generally taken as a case of pestilence, and traced (Winer, *R. W.* i. p. 498; Friedreich, p. 198 ff.; Trusen, p. 203) to contagion from the pestilence which wasted the Assyrian army (2 Kings xix. 35). But Hezekiah's illness falls in the first year of the Assyrian invasion, whereas the destruction of the Assyrian army took place in the third year, as even Thenius on 2 Kings xx. 1 acknowledges. Further, the boil (שְׁחִין), in which Hezekiah's illness broke out (2 Kings xx. 7), cannot be taken as a boil arising from pestilence, because שְׁחִין in the Old Testament occurs only of ulcers caused by leprosy (Job ii. 1, 7, 8) and other inflammatory sores (Ex. ix. 9), nowhere of pestilence or the boils produced by it. Comp. my comment. on 2 Kings xx. 1.—Still less are the *boils* (עֳפָלִים) with which the Philistines, 1 Sam. v. 5 ff., were smitten, to be explained with Thenius of boils of the Oriental Druse or Bubon pestilence. For עפלים, for which טחרים occurs in the *Keri*, denotes in Arabic *tumores ani vel in pudendis mulierum*, without our being able to determine the nature of these *tumores* more exactly. Various suppositions in Winer, *R. W.* ii. 254.

Of diseases of the *nervous system* there are mentioned *apoplexies* (hemorrhages), in the case of Nabal (1 Sam. xxv. 37 ff.), probably a blood-stroke (*apoplexia sanguinea*); in the case of Alkimos (1 Macc. ix. 55), a stroke with paralysis of the members, especially of the tongue (10); and perhaps also in the case of Uzzah (2 Sam. vi. 7), and in that of Ananias and Sapphira (Acts v. 1 ff.), they are to be

regarded as instruments of divine punishment. Partial apoplectic *paralyses* in the case of the παραλυτικοί, παραλελυμένοι (Luther, *Gichtbrüchige, palsied*), in the gospel history (Matt. iv. 24, ix. 2 ff., xi. 5; Mark ii. 3; Luke v. 18; John v. 5 ff.; Acts iii. 2, viii. 7), which either arise suddenly in consequence of apoplectic shocks, or gradually from spine disease or from gout (11); *epilepsy*, from which lunatics suffer (σεληνιαζόμενοι, Matt. iv. 24, xvii. 15; comp. Mark ix. 17–27; Luke ix. 38 ff.). For periodically returning convulsions with howling, sudden falling to the ground, groaning, gnashing with the teeth, are symptoms of this disease, which, if it becomes confirmed, results in the weakening of the powers of the mind and emaciation of the limbs (12).

(10) The death of Alkimos μετὰ βασάνου μεγάλης, *i.e.* in convulsions, is not decisive against the idea of apoplexy, for the visible symptoms of apoplexy, twitchings of the muscles of the face, foaming at the mouth, protruding, staring eyes, give the impression of great torture (Pruner, p. 295). But it may still have been *tetanus*, cramp, which is not uncommon in warm countries, and when severe is fatal (Pruner, p. 302).

(11) Luther's translation of παραλυτικός by *Gichtbrüchig, palsied*, does not necessarily assume gout (*Gicht*) proper as the cause of the partial paralysis of the limbs; for every one is *gichtbrüchig* who is so weakened in the members that he cannot walk. The παραλυτικὸς δεινῶς βασανιζόμενος, Matt. viii. 5, is "no doubt a paralytic seized with a *tetanus*, twisting the limbs as on a rack (βάσανος), as indeed the older medicine takes παράλυσις in the wider sense;" and the γυνὴ συγκύπτουσα καὶ μὴ δυναμένη ἀνακύψαι εἰς τὸ παντελές (Luke xiii. 11), "rather an arthritically paralysed person than one affected with the *tetanus emprosthotonus* (forward-twister); for the latter does not last eighteen years." Leyrer, *ubi supra*, p. 46.

(12) Of the various forms of this disease: *epilepsia cerebralis, medullaris, ganglionaris, abdominalis*, there seems to occur in Mark ix. 17 ff. a case of gastric epilepsy, which happens especially among boys before their puberty, commonly from the ninth year, in consequence of a disease in the bowels, especially of intestinal worms so frequent in Syria (Pruner, p. 244), and which appears with the crescent moon. Hence epileptics are also called lunatics (moon-struck), because their attacks were ascribed to the influence of the moon, in so far as in this disease as well as in other vital phenomena on our planet there appears a rhythm corresponding with the changes of the

moon, which is variously explained. Comp. Strauss, *Ueber den Rhythmus in Lebenserscheinungen*, Gött. 1825. Medicus, *Geschichte periodischer Krankheiten*, i. 1, § 3; Reil, *Archiv der Physiologie*, i. p. 135 f.; and Friedreich, *zur Bibel*, i. p. 290 f.

To the *chronic* class belong various diseases of the vascular system, such as: chronic *diarrhœa*, of which Jehoram king of Judah died (2 Chron. xxi. 18 f.), probably a chronic diarrhœa conjoined with evacuation of the wasted peritoneum; *dropsy* (*hydrops*) (Luke xiv. 2 ff.); *worms*, of which Antiochus Epiphanes (2 Macc. ix. 5, 9) and Herod Agrippa I. died (Acts xii. 23) (13); further, the *discharges* (זוֹב, Lev. xv. 2, 25) connected with the life of the sexes, the issue of mucus and the morbid female issue of blood, which rendered the Israelite unclean (14); finally, all sorts of *skin eruptions*, which arise from a diseased mixing of the juices of the body, and are readily produced by excessive action of the capillary system of the skin in warm countries, such as *ringworm*, יַלֶּפֶת, λειχήν, either an itchy ringworm, which, beginning at the chin, spreads over face, throat, breast, and hands; or perhaps chronic *eczema*, which occurs frequently among males in warmer regions; *itch*, גָּרָב, ψώρα ἄγριος (LXX.); *scabies* and חֶרֶס (Deut. xxviii. 27), perhaps *psora humida*; and *bohak* (בֹּהַק, ἀλφός [LXX.], *weisser Grind* [Luther], Lev. xiii. 39); white scab, an innocuous or rather wholesome skin eruption, which shows itself in pale whitish lack-lustre spots of unequal size on the brown skin of the Eastern, causing no discomfort, and passing off again in from two months to two years (15); finally, *leprosy*, צָרַעַת, strictly *stroke*, because the leper was regarded as stricken of God, λέπρα (LXX.), commonly called from the time of Celsus, *elephantiasis* (16), which is essentially different from the harmless *bohak* and the *lepra vulgaris*, an innocuous scaly eruption (17).

Leprosy appears in two forms which sometimes pass into one another, but when distinctly developed have a wholly different appearance, viz. the *tubercular*, called *elephantiasis*, and the anesthetic, λεύκη, *vitiligo alba*. In both forms leprosy is a morbid condition of the organism generally, arising from a faulty composition or decomposition of the blood, the origin of which, however, is still unknown (18).—(*a*) *Tubercular* or knolly, better, knotty leprosy, called also black or moist leprosy

appears in spots on the skin, reddish in colour, dark red on a highly pigmented skin, and varying in size from that of a lentil to a handbreadth. These spots appearing generally in the face and at the extremities, seldom on the body, may disappear or occur again and again in several eruptions, though they may also remain stationary. In the latter case the spot which was at first reddish becomes more and more livid, at last remaining a yellow-brown pigmented patch. After these spots have continued for some time, knots begin to be formed, commonly called tubercles, of all sizes, from a pin-head to a walnut. The knots remain long stationary in many cases, *i.e.* increase imperceptibly; in others they grow somewhat quickly, then soften, break and pass into ulcers, which secrete an offensive whitish fluid, which, however, soon dries to a yellow or brown scab, growing thicker and thicker by the constant addition of new layers. If the scab falls off or is removed by scratching, a moderately deep ulcerated surface appears. The ulcer may strike deeper, spreading in all directions, and often consuming the muscles till the bones are laid bare, whereby the powers of the body are more and more exhausted. Periodical attacks of fever also contribute to waste the strength; then diarrhœa or dysentery commonly supervenes, and the sufferer dies.—(*b*) *Anæsthetic* or smooth leprosy begins with pale, round or longish spots, the edges of which are slightly red and somewhat raised. They appear chiefly on the body, and spread upwards and downwards along the sinews. Or it appears in large blisters containing malignant matter (*Pemphigus*), which on bursting leave ulcers on the surface, and these again smooth white scabs without hair, somewhat deep in the skin. These ulcers very rarely heal, and are altogether painless. In many cases a fluid gathers under the skin, causing as it discharges a deep obstinate ulcer, which works its way between the muscles and bones. Commonly the eruptions of pemphigus are repeated, sometimes for years, the sufferer undergoing almost intolerable pains, both in the face and extremities. The ulcers often attack the finger and toe joints, so that these, sometimes even the feet to the knee-joints, fall off piecemeal with wasting inflammation. Finally, after years of suffering, colliquative diarrhœas, tetanus cramps, inflammation

of the kidneys, or attacks of suffocation, put an end to the life of the incurable patient. As a rule, leprosy is incurable. Actual cures are not attested. Only in rare cases the disease destroys itself, new ulcers breaking out where the tubercles have just become hardened, dissolving the rest, and ending with a complete cure (19). Leprosy is not contagious, but is frequently propagated by birth (20).

(13) Regarding Jehoram's disease, comp. Friedreich, i. p. 271 f., where also may be found other suppositions. On the prevalence of chronic dysentery or diarrhœa, comp. Pruner, p. 212 ff.—To think of *phtheiriasis, lousy disease*, with Trusen, p. 221 ff., in the cases of Antiochus Epiph. and Herod Agrippa, is in the teeth of the expression σκώληκες, which means nothing else than maggots. In *Helminthiasis* not only does worm colic appear (πικροὶ τῶν ἔνδον βάσανοι, 2 Macc. ix. 5), but now and again the eating through of the intestinal canal. "What we have to think of undoubtedly is abscesses, worm ulcers *(ulcera verminosa)*, out of which, when they break, maggots crawl" (Leyrer, *ubi supra*, p. 43). The origin of this disease in the case of Antiochus does not, however, admit of being explained, with Friedreich, p. 236, by injuries in consequence of his being thrown from his carriage, for the disease had broken out before his fall.

(14) See above, p. 377, note 10; and also Leyrer, *ubi supra*, p. 41 f.

(15) The *Bohak* is still found in Arabia. Forskal (Niebuhr, *Beschreib. von Arabien*, p. 137 f.) saw it, 1763, in a Jew in Mocha. "The spots of this eruption are of unequal size, lustreless, dusky-white or reddish, and spread gradually. Sometimes they remain only two months, sometimes a year or two, and gradually disappear of themselves. This disease is neither infectious nor hereditary, and causes the body not the least discomfort."

(16) This disease, which has been endemic in Egypt and India from the most ancient times, spread in the beginning of our era over the Roman Empire, and in the Middle Ages over the whole of Europe, where it gradually disappeared in the sixteenth and seventeenth centuries. Since then it occurs only sporadically in Central Europe, though it is still endemic in Norway, in the Greek Islands, and a few marshy coast lines, also in Madeira, and in Syria and Palestine. Comp. on the prevalence of leprosy the exhaustive treatise of Hirsch, *Hdb. der histor. geograph. Pathologie*, Erl. 1860, Bd. i. p. 301 ff.; and on its nature, the work of D. C. Danielssen and Wilh. Boeck, founded on many years' observation of the disease as still

extraordinarily prevalent in Norway, and entitled, *Traité de la Spédalskhed ou Elephantiasis des Grecs;* trad. du Norwégien par L. A. Cosson de Nogaret, Paris 1848, with an atlas of twenty-four *planches coloriées* (representations of the disease of leprosy in various forms). The authors reject as unfounded the traditional distinction into three or four kinds of leprosy, and recognise only two, the tubercular and anæsthetic, and a complication of both. In accordance with this view are the observations of Carl Wolff, "Die Lepra Arabum (Elephantiasis Græcorum); nach eigenen Beobachtungen auf der Insel Madeira geschildert," in R. Virchow's *Archiv. f. pathol. Anatomie u. Physiologie* (Berlin 1863), Bd. xxvi. pp. 44–78; and of Dr. Th. Chaplin, honorary physician to the German Asylum for Lepers in Jerusalem, in the journal published by Delitzsch and Becker, *Saat auf Hoffnung,* viii. p. 161 ff. (1873). —These observations form the basis of Kamphausen's article in Riehm's *Hdw.* i. p. 120 ff.

At Jerusalem there are found—so writes Fr. Ad. Strauss, *Sinai u. Golgotha,* p. 205, 6th ed. (1865)—at the present day, not far from the gate of Zion, the *lepers' tents,* unhappy men, about thirty in number, whose limbs, after their earliest youth, gradually die off. In 1867, Christian love founded an asylum for these unfortunates. In Damascus there are three hospitals for lepers; two for Christians, Maronites, and Catholics, and one for Mohammedans. The inhabitants, however, maintain that never has one of them been attacked by leprosy; and that all the patients in the hospitals were brought from Palestine, Hauran, Nablous, the Jebel-esh, Sheikh, the Lebanon, etc. Seetzen, *Reise,* i. p. 277 f.

(17) According to Pruner, p. 163 f., scaly eruptions, the so-called *lepra vulgaris,* and discolorations of the skin, the so-called *Leuce* or *Alphos,* are now little known in the East; on the contrary, the knolly or joint leprosy, *lepra tuberosa s. articulorum,* prevails, and sometimes has an acute, sometimes a chronic course,—in the former case reaching in from two to six months the same degree as it does in the latter after several years. The name *elephantiasis* is not happily chosen, and has only led to the identifying or confounding with leprosy of a disease essentially distinct from it, which is confined to certain parts of the body, the so-called elephant leg; while this disease, called also, from its frequent appearance on the island of Barbadoes, Barbadoes leg (*Pachydermia*), consists only of a violent swelling of the foot; comp. Kamph. *ubi supra,* p. 121.

(18) The signs of leprosy given in Lev. xiii. point rather to the anæsthetic than to the tubercular form. To the latter, however, belonged Job's disease, whose body was covered with

שְׁחִין רָע (Job ii. 7); to it also belong the שְׁחִין מִצְרַיִם, "boils of Egypt" (Deut. xxviii. 27).

(19) Comp. Danielssen and Boeck, *l.c.*, pp. 211 and 350. Lev. xiii. 12–17 applies to cases of this kind.

(20) The non-contagiousness of leprosy is most conclusively established by Danielssen and Boeck, pp. 340 f., 346. To the same effect, Pruner says, p. 172: "We ourselves have at different times put lepers among the other patients for months together, and have never found a single case of contagion." "The supposition that the disease is communicated by lying together seems to us groundless; besides, it is seldom that both husband and wife suffer from it."—Legal prescriptions regarding the uncleanness of leprosy, see above, § 56, p. 370 f.; and those regarding the cleansing of recovered lepers, in § 59. The traditional ordinances regarding the course to be observed are vividly described in the novel, *Durch Krankheit zur Genesung*, by D. F. Delitzsch, Lpz. 1873.

II. *Psychical diseases.* — It is true that mental diseases frequently have some disorder of the nervous system as their physical basis, and in some forms of melancholy they are connected with a morbid affection of the ganglionic system. They are not, however, on that account mere bodily or brain diseases, but are caused by a disturbance of the mental life, a morbid affection of the mental powers, a deterioration of the spiritual life arising from sin, a displacing of the spirit from its normal relation to God, to itself, to the bodily personality and the outer world.—In connection with the all-pervasive mutual relationship which subsists in man between soul and body, mental diseases may indeed arise from bodily sicknesses and anomalous conditions, especially nervous disorders; but they frequently have their immediate cause in the ethical perversion of the mental powers, from which bodily troubles then follow (21). In Scripture there are general references to and descriptions of foolishness; folly (נְבָלָה סִכֶּל, or סִכְלוּת, הוֹלֵלָה, or הוֹלֵלוּת) and madness (שִׁגָּעוֹן) are threatened (Deut. xxviii. 28) as divine punishments. Besides these, we find only two cases of developed madness, in the melancholy of Saul (1 Sam. xvi. 14 f., xix. 9) and the insanity of Nebuchadnezzar (Dan. iv. 13, v. 18 ff.) (22); both inflicted by God as a punishment for sinful self-exaltation. Saul's melancholy arises from the spirit of Jehovah departing from

him, and an evil spirit from Jehovah (רוּחַ רָעָה מֵאֵת יְהוָה) terrifying him (1 Sam. xvi. 14), and it rises, when the evil spirit comes on him (1 Sam. xviii. 10), to attacks of frenzy, so that he speaks and acts (מִשְׁתַּגָּע) as a madman (הִתְנַבֵּא); and like one in delirium (מִתְהַלֵּלָה) who casts about him firebrands, arrows, and death (Prov. xxvi. 18), he throws his javelin at David while playing before him (1 Sam. xviii. 10, xix. 10) (23). —Nebuchadnezzar's disease consisted of complete insanity (*insania metamorphosis zoanthropica*), so that in his madness he took himself for a beast, ate grass like the oxen, lived in the open air, and his hair and nails grew like eagles' feathers and birds' claws (Dan. iv. 29) (24).

(21) Comp. the proof and fuller discussion of these points in Delitzsch, *Bibl. Psychology*, p. 339 ff.

(22) David's madness, 1 Sam. xxi. 14 ff., was not a real, temporary attack of mental disease, but according to the context and use of the words: שִׁנָּה אֶת טַעְמוֹ, "*he changed his understanding*," only a feigning of himself mad, while he consciously played the part of a madman.

(23) The הִתְנַבֵּא is commonly used of prophesying. It denotes both "the speaking and conduct of a madman and a prophet, inasmuch as in both cases there is a speaking and acting from another spirit, abolishing one's own free personality; in the one case an evil (comp. 1 Sam. xviii. 10), in the other a good, the Spirit of God (comp. the Greek *μάντις* from *μαίνεσθαι*)." Leyrer, *ubi supra*, p. 47. הִשְׁתַּגַּע, to be mad (1 Sam. xxi. 15), and מְשֻׁגָּע, mad (1 Sam. xxi. 16; Deut. xxviii. 34), are used not only of false prophets (Hos. ix. 7), but also of true (2 Kings ix. 11; Jer. xxix. 26); of the former rightly, inasmuch as they are taken captive by a delusion; of the latter wrongly, for "in an insane world true prophets must indeed pass for insane; comp. Wisd. v. 4; 1 Cor. iv. 10." Leyrer.

(24) Examples of this mental disease from ancient and modern times, see in Trusen, p. 213, and Leyrer, p. 48, and in the monographs there quoted. Comp. my comment. on Dan. iv. 29. Its origin, Friedreich, *zur Bibel*, p. 308 ff., seeks to explain psychologically, as the natural consequence of his terror at Daniel's prophecy (!). For he knows nothing of the sovereignty of the living God, who brings down the man who in his heart has raised himself above all, far beneath all others, to the level of the beasts, till he learns that God the Highest rules over the kingdom of men, and sets over it whom He will. Dan. v. 18–21.

III. *Demoniacal diseases* (25).—These are expressly distinguished in the New Testament from natural (physical and psychical) diseases (Matt. iv. 24, viii. 16; Mark i. 32, etc.). The possibility of demoniacal action on man is due to sin, whereby with divine permission the human race since Adam's fall have come into a relation of servitude and affinity to Satan and his evil spirits (שֵׁדִים, *δαίμονες*, *δαιμόνια*, *πνεύματα ἀκάθαρτα*), and is exposed to their seducing and tormenting influence. This action is either of an ethico-spiritual, or bodily, or psychico-bodily kind. The ethico-spiritual consists of temptations and seductions to sin, which may rise in intensity—as in the case of Judas Iscariot (John xiii. 27)—to the entering of Satan into the heart. The bodily consists of diseases or attacks of disease, which Satan inflicts on man, such as Job's sickness (Job ii. 5 ff.), the bending of the woman's spine for eighteen years in Luke xiii. 11, the buffetings of the messenger of Satan, which the Apostle Paul felt as a thorn in the flesh (2 Cor. xii. 7) (26). *Possession* or demoniacal disease is different from both. The *possessed* (*δαιμονιζόμενοι*) in the Gospel history are indeed sometimes the subjects of physical defects, deafness (Mark ix. 17), dumbness (Matt. ix. 32; Luke xi. 14), or blindness and dumbness (Matt. xii. 22); sometimes of psychical sufferings, epilepsy (Luke ix. 38; Mark ix. 17; Matt. xvii. 15), insanity (Matt. viii. 28 ff.; Mark v. 2 ff.; Luke viii. 26 ff.); but their sufferings are neither merely physical or psychical, nor merely somatico-psychical diseases, which only superstition perhaps derives from the influence or indwelling of evil spirits; but they consist of a psychical overmastering by demons (*ὀχλούμενοι ὑπὸ πνευμάτων ἀκαθάρτων*, Acts v. 16; *ἐνοχλούμενοι ἀπὸ πν. ἀκ.*, Luke vi. 18), who insinuate themselves between the bodily constitution, more precisely the nervous system, and the soul of man, violently bind soul and spirit together, make themselves masters of the bodily organs (the instruments of the senses of motion and of speech), and convert them into means of their tormenting activity (27).—These diseases can only be healed by driving out (*ἐκβάλλειν*) the demons.

(25) As to the nature of demoniacal diseases, comp. Delitzsch, *Bibl. Psychology*, p. 347 ff.; Dieringer in Aschbach's *Allg. Kirchenlexicon*; and Ebrard in *PRE.*, art. "Dämonische."—The

Rationalistic view and literature, see in Winer's *R.W.*, art. "Besessene."

(26) These diseases are not designated demoniacal. Though it is said of the woman, Luke xiii. 11, that she had a πνεῦμα ἀσθενείας, and that Satan had bound her eighteen years (ver. 16), yet Delitzsch rightly remarks, *Bibl. Psych.* p. 347, that πνεῦμα ἀσθ., without having a personal sense, only denotes, in accordance with the then use of language, the hidden power of disease; while Luke expressly distinguishes πνεύματα πονηρά and ἀσθενείαι, viii. 2; comp. v. 15. — Neither was Saul's melancholy a demoniacal disease, though Josephus so explains it (*Antiq.* vi. 8. 2 and 11. 2); but the evil spirit from Jehovah that came on him was only "a spiritual agency of God, which brings to bear upon Saul the gloomy and fiery powers of divine wrath, which he had aroused by his sin." Delitzsch, *ubi supra*, p. 358.

(27) So Delitzsch, *Bibl. Psychology*, p. 354 f., in essential accordance with Eschenmeyer, Ebrard, *ubi supra*, and v. Rudloff (*die Lehre vom Menschen nach Geist, Seele und Leib*). The view, that the demon established himself personally in the soul of the possessed one, "is at variance with the limitation drawn by the Creator round all created individual life, and with the power which belongs to the Creator alone substantially to permeate and pervade everything created, including spirits. The locality of possession is the human corporeity. In this, and indeed just where the soul exerts an influence upon it and receives reacting influences from it, the demon establishes himself, but from here outwardly exercises a forcible influence extending to soul and spirit" (p. 355).—But demoniacal diseases consist partly of physical, partly of physico-psychical overmastering. In the former case, only the bodily life is seized by a demoniacal power, as in the case of the dumb man (Matt. ix. 32 f.), and of the blind and dumb man, Matt. xii. 22 ff. To the second kind belong the cases in which the demoniacal character shows itself in pronounced psychical appearances, demons, *e.g.*, speaking out of the possessed, as out of the Gadarene, Matt. viii. 29, 31; out of the man in the synagogue at Capernaum, Luke iv. 34, comp. Mark i. 26; out of the possessed one in Ephesus, Acts xix. 15, and others. "That it was spirits who spoke out of such sufferers was shown by the fact, that what was uttered betrayed a clearness of insight into the person and work of Jesus, going far beyond the knowledge of the men of that time; and that they were evil and impure spirits appeared from the fact, that they would have nothing to do with Jesus, and that His proximity heightened the madness of the possessed" (Mark v. 7 f.). Del. p. 350. In the Old Testament cases of possession do not occur. As physical and mental

diseases appear variously, not only according to country and climate, but also according to times and circumstances; so the dominion of Satan over mankind manifests itself in various forms according to times and relations. In the Old Testament it was idolatry, which, indeed, in its true nature is regarded as a worshipping of demons (שְׂעִירִים, *δαιμόνια*, LXX.), with its many associated kinds of sorcery, mania, and oracles, by which Satan held in subjection whole peoples, and Israel when it apostatized from Jehovah. But after the chastisements of the exile put an end to idolatry among the Jews, the action of the wicked one upon the Jewish people took another form, and appeared as possession. This grew to such violence in intensity and number in the time of Christ, because, on the one hand, the kingdom of darkness put forth all its powers to defy its Conqueror who had come upon the field of history, and to dispute with Him the men whom He had come to redeem; and, on the other, the superstition of the time, which occupied itself with all kinds of sorcery (Acts viii. 9 ff., xiii. 6 ff., xix. 19), laid open the souls of men to demoniacal influences (Del. p. 358 f.). —Finally, the question, whether possession still occurs, is answered affirmatively by some (comp. Just. Kerner, *Geschichten Besessener neuerer Zeit*, Karlsr. 1834), negatively by others, and cannot yet be answered with certainty, because the facts which have hitherto been adduced for its occurrence are still open to much doubt; and even the declarations of patients, to the effect that they are possessed of demons, may rest on delusion.

§ 115. *Burial of the Dead, and Mourning Usages.*

As the human body was formed from the earth, and by death returns again to the earth, it was a natural custom, originally common to all peoples, to give over their dead to the earth, or to *bury* (1). So early as the time of the patriarchs, the dead are laid in graves by their nearest kindred (Gen. xxv. 9, xxxv. 29). Immediately when life departed, it was the office of love to close the eyes of the dead (Gen. xlvi. 4), and of filial piety to kiss the face (Gen. l. 1). From early times also the body was washed (Acts ix. 37), then wrapped in a linen cloth, *σινδών* (Matt. xxvii. 59 and the paralls.), or the limbs separately wound with strips of linen (*ὀθόνια*, *κειρίαι*, John xi. 44), then put in a coffin (*σορός*, Luke vii. 14) and carried on a bier (מִטָּה, 2 Sam. iii. 31) to the grave, while relatives and friends followed with loud weeping and lamenta-

tion (1 Sam. iii. 31; 2 Sam. iii. 32; Job xxi. 33). To remain unburied was reckoned the greatest indignity which could befall the dead (1 Kings xiii. 22, xvi. 4, xxi. 24; Jer. vii. 33, viii. 2, etc.), because the corpse soon became the prey of wild beasts (2 Kings ix. 35). Even criminals who had been executed were interred in accordance with the command (Deut. xxi. 23; comp. 2 Kings ix. 34). The burning of bodies only occurred in extraordinary cases under pressure of circumstances, either to secure them from mutilation (1 Sam. xxxi. 12), in which case, however, the bones were afterwards buried (ver. 13); or in times of war, especially when the number of the dead was greatly increased by contagious pestilences in besieged cities (Amos vi. 10); finally, as a punishment inflicted on great criminals (Lev. xx. 14, xxi. 9) (2).—The *embalming* (חֲנֹט) of the dead took place after the Egyptian fashion in the case of Jacob and Joseph (Gen. l. 2 f. and 26) (3); it was not usual, however, among the Israelites, but only imitated by the rich or distinguished so far that they anointed the bodies of their loved dead with costly oil (John xii. 7), and wound them in linen with aromatic spices (John xix. 39 ff.).—The speedy burying of the dead was not customary in more ancient times (Gen. xxiii. 2 ff.), but arose later, when the law made dead bodies a cause of uncleanness (Num. xix. 11 ff.; comp. Acts v. 6, 10).

Graves were sometimes simple cavities, dug out in the earth (Gen. xxxv. 8; 1 Sam. xxxi. 13); sometimes natural caves or grottoes, which were used and fitted up as burial-places (Gen. xxiii. 17); sometimes artificial tombs hewn out in the rock, provided with galleries and chambers, preference being given to places outside cities, under shady trees, and in gardens (Luke vii. 12; John xi. 30). Only kings (1 Kings ii. 10, xvi. 6, etc.) and prophets (1 Sam. xxv. 1, xxviii. 3) were buried in cities (4). The well-to-do had generally, no doubt, family burying-places (Gen. xxiii. 20; Judg. viii. 32; 2 Sam. ii. 32; 1 Kings xiii. 22; Tob. xiv. 12; 1 Macc. ii. 70), while the poorer classes would doubtless have their public ones from early times (Jer. xxvi. 23; 2 Kings xxiii. 6; comp. Matt. xxvii. 7).—The graves that were hewn in the rock, or laid out in natural caves, were closed with large flat stones (Matt. xxvii. 60, xxviii. 2; John xi. 38).—On or over graves it

became customary in very early times to set up monuments of hewn stone, מַצֵּבָה, Gen. xxxv. 20; comp. Job xxi. 32; 2 Sam. xviii. 18, which afterwards took the form of magnificent mausoleums with pyramids and many kinds of emblems (1 Macc. xiii. 27 ff.) (5).—In post-exilic times it was sought to restore and adorn the graves of the prophets and other holy persons, a department in which the Pharisees in particular desired to testify their reverence for the prophets (comp. Matt. xxiii. 30 ff.), and to give graves in general a new coating on the outside yearly after the rainy season (Matt. xxiii. 29), to distinguish them, and secure the passer-by from touching them (which produced uncleanness).

(1) The chief writings on this subject are: Mart. Geier, *De Ebræorum luctu lugentiumque ritibus*, ed. 3, Lps. 1683. J. Nicolai, *De sepulcris Hebræor.*, libri iv., L. B. 1706, 4. *Von den Leichen der Morgenländer aus Reisebeschreibungen.* Aus dem Latein. übersetzt, Cob. 1782; and Fr. Imm. Grundt, *Die Trauergebräuche der Hebräer*, Leipz. 1868.

(2) Comp. G. Baur, *d. Proph. Amos*, on c. vi. 10. J. D. Michaelis, "De combustione et humatione mortuorum apud Hebr.," in the *Syntagm. commentatt.* i. p. 225 sqq., has sought in vain to prove from 1 Sam. xxxi. 12 that burning instead of burying became customary among the Israelites from the time of Saul downwards. Tacitus, *Hist.* v. 5, still mentions the *corpora condere* as a Jewish custom; and in the Mischna *Abod. sar.* c. i., burning is declared to be idolatry. The "making of a burning," usual when kings were buried (2 Chron. xvi. 14, xxi. 19; Jer. xxxiv. 5), was a consuming of sweet-scented substances burned in honour of the dead. Comp. M. Geier, *l.c.* vi. 2 sqq.

(3) Comp. Hengstenberg, *die BB. Mos. u. Æg.* p. 68 ff.; Friedreich, *zur Bibel*, ii. p. 199 ff.; and Winer, *R.W.*, art. "Einbalsamiren."

(4) Many such caves hewn out for tombs are still to be found on hill-slopes in Palestine (comp. Robinson's *Palestine*, i. p. 349 ff.), especially in Jerusalem. David and his successors, excepting only Uzziah (2 Chron. xxvi. 23), Ahaz (xxviii. 27), and Manasseh and Amon (2 Kings xxi. 18, 26), were buried on Mount Zion. Comp. on the yet undiscovered "tombs of the kings of Judah," O. Thenius in Illgen's *Ztschr. f. d. histor. Theologie*, 1844, i. p. 1 ff., and *Ztschr. d. DMG.* xvi. p. 495 ff.—The graves north of Jerusalem, which tradition calls the "tombs of the kings," formed perhaps the tomb of the Queen of Adiabene. For further particulars on this magnificent tomb, which recalls

those of Egyptian Thebes, as well as on other notable ancient tombs near Jerusalem, the so-called tombs of the prophets and of the judges, see in Robinson's *Palestine*, i. 349–364, and *More Recent Biblical Researches*, p. 253 f. Regarding the tomb of the patriarchs at Hebron, see Rosen in Koner's *Ztschr. f. Allg. Erdk.*, N. F. 1863, Bd. xiv. p. 369 ff.—Comp. also Rosen, "Das Palästin. Felsengrab und seine Bedeutung für die formelle Ausbildung der christl. Kirche," *ibid.* xvii. p. 161 ff.

(5) On the magnificent mausoleum, with its seven pyramids, erected by Simon (1 Macc. xiii. 27 ff.), comp. Grimm, *comment.* on the passage, where similar mausoleums are mentioned.

Mourning for the death of loved relatives and dear friends was expressed by the Israelites in loud weeping and lamentations (Gen. xxxvii. 35, l. 1; 2 Sam. iii. 32, 34, etc.). This was accompanied with rending of the garments, *i.e.* tearing them in front at the breast (Gen. xxxvii. 34; Judg. xi. 35) (6), and strewing the head with ashes or earth (1 Sam. iv. 12; 2 Sam. i. 2, 11, etc.); putting on mourning (בִּגְדֵי אֵבֶל, 2 Sam. xiv. 2), especially a coarse, tight dress, without sleeves, made of haircloth (שָׂק, *σάκκος*), which was more like a sack than a dress, and was worn by men and women (Gen. xxxvii. 34; 2 Sam. iii. 31; 2 Macc. iii. 19; Matt. xi. 21, etc.); fasting (1 Sam. xxxi. 12; 2 Sam. iii. 32); the omission of anointing, and of the washing and change of garments (2 Sam. xiv. 2, xix. 24, comp. xii. 20; Judith x. 3); the laying aside of all ornaments (Ezek. xxvi. 16), even of the shoes or sandals (going barefoot, 2 Sam. xv. 30; comp. Ezek. xxiv. 17); to which was probably added the shaving of the hair of the head and beard, that ornament of the Oriental (Jer. vii. 29, xvi. 6, etc.). But the custom of other peoples, of making incisions on the face or body, or etching in other marks (tattooing or making stigmata), was forbidden by the law (Lev. xix. 28; Deut. xiv. 1) (7).

In the case of deep mourning, the bereaved sat, or even lay on the ground in dust and ashes (2 Sam. xii. 16, xiii. 31), covered his chin, *i.e.* his face up to the nose, in token that he wished not to speak (Ezek. xxiv. 17), or the face and head (2 Sam. xv. 30, xix. 4).—Deeper mourning, with fasting, commonly lasted seven days (1 Sam. xxxi. 13; 1 Chron. x. 12; Judith xvi. 23; Sir. xxii. 12), in special cases thirty days (when, however, the fasting could hardly have lasted so long)

(Num. xx. 29; Deut. xxxiv. 8; comp. xxi. 13).—On the death of heroes and rulers, songs of lamentation were composed for the occasion and sung (2 Sam. i. 17, iii. 33; 2 Chron. xxxv. 25), and their death was mourned by the whole nation. Gradually, however, even mourning degenerated into external pageantry, the noble, or well-to-do, hiring professional mourning women, who raised cries of lamentation, and accompanied elegiac songs with flute music in the house during the days of mourning, and also at the grave (Jer. ix. 17; Mark ix. 23). Fasting, also, as the natural expression of sorrow, leading to self-denial of every enjoyment, afterwards changed to its opposite—mourning feasts. From the simple token of sympathizing affection to the afflicted, of supporting and comforting him by presenting him with food and drink (2 Sam. iii. 35, xii. 17 ff.), there arose in course of time mourning feasts, which the bereaved one had to give to friends (8).

(6) Laceratio vestium fieri potest, excepto pallio exteriori et interula, in omnibus reliquis vestis partibus, etiamsi decem essent, sed vix ultra palmæ longitudinem lacerant. Laceratio quæ propter parentes fit, nunquam resuitur; quæ autem propter alios, post trigesimum diem, etc. Othonis, *lex. rabb. phil.* p. 360.

(7) Comp. on this custom, M. Geier, *l.c.* c. x.; and Knobel on Lev. xix. 28.

(8) Comp. Joseph. *Antiq.* xvii. 8. 4; *bell. jud.* ii. 1. 1. At first, perhaps, in return for the bread of affliction and the cup of comfort which had been given to him (Jer. xvi. 7; Hos. ix. 4).

SECOND DIVISION.

THE EVERYDAY OCCUPATIONS OF THE ISRAELITES.

§ 116. *The Beginnings of the various Occupations.*

Man is created by God for activity. Only by work, bodily and mental occupation, can he maintain his life, develop the parts and powers with which he is endowed, and reach the goal of his life in this world. Even in Paradise, where fruits

from the trees of the garden furnished the first human beings with the nourishment they needed, God appointed them as their occupation the dressing and keeping of the garden (Gen. ii. 15). But after the Fall, trouble and labour in the sweat of his brow became the lot of man (Gen. iii. 17 ff.), not only by way of punishment, but also for his good. Work, and especially laborious work, carries in it the great blessing of quenching and destroying all sorts of fleshly lusts, which fight against the soul and kill true life, while idleness teaches much evil (Sir. xxxiii. 29). But apart from this fact, when man by his sin fell from his right relation, not only to God, but also to the world, he could pursue the earthly calling marked out for him by his Creator of making the earth subject to himself, and ruling over all its animals and creatures (Gen. i. 28 ff.), and train and develop himself for this end in no other way than by toil and work. Accordingly, even the sons of our first parents begin to *till the land* and to *rear cattle* (Gen. iv. 2), and to apply the produce of the ground and the cattle to the maintenance and enjoyment of life. With these occupations the culture of the human race began; for they demand many kinds of implements and appliances, the preparation of which necessarily involves the working of brass and iron. With the art, however, of "hammering implements of brass and iron" (Gen. iv. 22), the foundation was laid for the gradual development of the various handicrafts and mechanical arts. The origin and invention of these belong to primitive times, from which no historical information has come to us except the scanty hints in Genesis.

The rearing of cattle led in the very earliest times to *nomad life*, with its tents and flocks, which, according to Gen. iv. 20, originated with *Jabal*, and led to the invention of musical instruments (ver. 21). Though the nomad cannot live on the products of his flocks alone, but is forced, in order to get bread, also to cultivate the land; yet, in consequence of the wandering life which compels him to limit himself to the barest necessities of life, his circumstances are much less helpful to the development of civilisation than *agriculture*, which accustoms man to fixed dwelling-places, leads to the building of houses, to the laying out of villages and cities, and the development of city life. Thus the cultivation of handicrafts and mechanical

arts is furthered, and *trade* is produced and promoted, by the exchange of the articles prepared by craftsmen for those which are needful to support life and to carry on business. Not only so, but mental activity is awakened, on the one hand, for the development of the common social and civil arrangements of life; on the other, of the higher efforts in science and art.—The beginnings of these manifold activities and inventions of the human mind are also lost in the darkness of primeval times. From the most ancient traditions regarding the early history of our race in Genesis, we only learn that Cain, the first tiller of the ground, founded a city (comp. § 94, note 1), and that his posterity were distinguished for the invention and cultivation of the capacities and industries which go to secure earthly prosperity. In this direction the human race was tolerably far advanced before the Flood, of which the building of the ark by Noah (Gen. vi. 14) gives the most practical proof. Thus, also, we can understand how, with the rapid multiplication of the race after the Flood, and their division into nationalities after the building of Babel (Gen. xi.), kingdoms and states might soon be founded, which not only exist in Abraham's time, but have already reached what is relatively no small degree of civilisation.

FIRST SECTION.

OCCUPATIONS FOR THE SUPPORT OF LIFE.

FIRST CHAPTER.

AGRICULTURE.

§ 117. *Development of Agriculture among the Israelites.*

The ancestors of the Hebrews in Mesopotamia followed pastoral pursuits. Abraham also, after his migration to Canaan, led a nomad life with his sons and grandsons; and the children of Israel, on their father's going down to Egypt, settled as shepherds on the fruitful pasture lands of Goshen (Gen. xlvii.). But this mode of life among the ancestors of

the chosen people arose more probably from the nature of Northern Mesopotamia than from the liking peculiar to the Bedouins for unrestrained freedom (1), and among the patriarchs it was due to the leadings of Divine Providence. Abraham was not to receive in actual possession the land of Canaan, to which the Lord called and guided him, either for himself or for his sons and grandsons, but in his more distant posterity, when the children of Israel had grown to a nation. And therefore the patriarchs as pilgrims in the land promised to them could build no permanent houses, could not exchange their nomad life for fixed settlements, nor become farmers instead of shepherds, though they were not unacquainted with agriculture, Gen. xxvi. 12, xxxvii. 7. — Hence the Israelites during their 400 years' residence in Egypt did not hold to the rearing of cattle, but with their increase in the land began to pursue agriculture (Num. xx. 5; Deut. xi. 10) and various handicrafts (1 Chron. iv. 21 ff.), so that at the time of the exodus they were sufficiently prepared and trained in this respect to make the cultivation of the land their chief earthly business in Canaan along with their pastoral pursuits (2). In Egypt they not only learned to build houses and cities (Ex. i. 11), but also to cultivate the soil both of field and garden, which was here carried to a high degree of perfection from the most ancient times (3). The land of Canaan, though very different in its natural characteristics (comp. § 13) from Egypt, was excellently fitted by its brooks, lakes, and springs rising in the mountains and valleys, and by the abundant rain from heaven with which it was watered (Deut. viii. 7, xi. 11), for the growth of oil, wine, orchard fruits and horticulture, for its soil, with the divine blessing, richly rewarded the labours of its owner. In view of this, the cultivation of the land is assumed in the Mosaic law as the chief employment of the Israelitish people in Canaan, and in this sense the Mosaic state was founded on agriculture (4).

The legal ordinances on the right of property and inheritance, on the Sabbatic year, etc., must have promoted the cultivation of the soil. Hence we find this occupation held in esteem by high (1 Sam. xi. 5, 14; 1 Kings xix. 19 ff.; 2 Chron. xxvi. 10) and low, and prosecuted with zeal and

ability. The several portions were carefully marked off (1 Sam. xiv. 14; Prov. xxii. 28), divided for the various products of the soil (Isa. xxviii. 25), secured against injury from wild animals by hedges and walls (Isa. v. 5; Num. xxii. 24 f.); the land on mountain slopes was protected by terraces to prevent the washing away of the soil by rain-falls (5), and its fruitfulness increased by artificial watering (6) and manuring (7). Thus the produce of the soil, in itself fruitful, was so increased, that it not only amply supported the numerous population, but yielded the cultivators such an overplus that the Israelites were able to export much wheat, oil, and wine, especially to the Phœnicians, and to procure in exchange the rich products and costly growths of other lands, which they had not. Thus the Israelites wanted nothing, and needed not to eat their bread in scarcity (Deut. viii. 9), so long as they were true in their allegiance to the Lord their God. Then He, blessing the work of their hands, opened His good treasury, the heavens, and gave their land rain in its season. This continued so long as they did not by falling into idolatry provoke His anger, so that the heaven over them became brass, and the earth under them iron, and Jehovah sent down upon them dust and sand like rain of the land (Deut. xxviii. 12, 23 f.; Lev. xxvi. 19 f.), or withdrew His blessing from their labour, so that locusts, worms, and insects destroyed their seed, and ate up the vine stocks and olive trees (Deut. xxviii. 38–42).

But Israel in this its earthly calling must show itself to be Jehovah's people, and enjoy the divine blessing on its work. Hence its cultivation of the land was put under obedience to the Lord's commands. This was done by the precepts regarding the Sabbath rest and leaving the soil fallow in the Sabbatic and jubilee years (comp. § 79 f.), as well as by the destination of the gleanings to the poor (Lev. xix. 9 f.; Deut. xxiv. 19 ff.). There were, besides, the following institutions to the same end. It was forbidden to sow field or vineyard with mingled seeds (Lev. xix. 19; Deut. xxii. 9). It was commanded not to sow, as unclean, moistened seed on which the carcase of an unclean animal had fallen, dry seed, however, not being rendered unclean from this cause (Lev. xi. 37). Finally, there was the legal requirement applicable

to the planting of all sorts of fruit trees, not to eat the fruits of the first three years as uncircumcised, *i.e.* unclean; on the other hand, to consecrate the entire fruit of the fourth year as a holy gift to the praise and glory of Jehovah because He had blessed the planting, and not to eat the fruits till the fifth year (Lev. xix. 23 ff.). Israel was required as Jehovah's people to devote the first good fruits of all kinds of planting to the Lord its God as first-fruits, and thereby honour Him as the giver of all good things (comp. vol. i. p. 452 f.). But besides, there were two ways in which it was to show itself a holy people. It was neither to sow seed in the case of which the uncleanness that had touched it might have penetrated to the inner part of the moistened kernels and rendered the fruit unclean, nor that seed in which by the mixing of what was heterogeneous, the original purity of things which God has separated in creation might be disturbed and destroyed (8).

(1) That the family of Abraham which remained in Padan-aram did not lead a nomad life, is plain from the fact that they dwelt in the city of Haran and lived in houses, not tents. Gen. xxiv. and xxix.

(2) As to the influence exercised on the Israelites by their residence in the highly civilised and cultivated Egypt, comp. Hengstenberg, *Beiträge z. Einl. ins A. Test.* ii. p. 432 ff.

(3) Comp. Hengstenberg, *die BB. Mose u. Ægy.* p. 228 ff.; and in addition, G. Ebers, *Durch Gosen zum Sinai* (Lpz. 1872), pp. 466–69.

(4) Comp. Michaelis, *Mos. Recht*, i. § 38 ff.

(5) The cultivation of hill-sides in terraces cannot indeed be proved from any clear statement of Scripture, for in Num. xxii. 24 it is vineyard walls that are spoken of; nevertheless it is indisputable, because the nature of such soil makes it necessary. Hence there are still seen in the land, little cultivated as it now is, "terraces on all mountain slopes, which rise one above another frequently to the number of sixty to eighty, and on them rise fields, gardens, and plantations." See Strauss, *Sinai u. Golgatha*, pp. 289 and 296.

(6) There is a reference to artificial irrigation by conduits in the פַּלְגֵי מַיִם, *water-partings*, canals, Job xxxviii. 25; Prov. xxi. 1. Besides, they were well known to the Israelites from Egypt, Deut. xi. 10, for there water is brought from the Nile, its canals and reservoirs, to the higher-lying regions, in various ways. Sometimes this is done by *draw-wells* with a long lever, which are to be found represented on the most ancient monuments

(comp. Wilkinson, *Manners and Customs*, etc. i. p. 53, and ii. p. 4), and are now called Shaduf (comp. Lane, *Manners and Customs*, p. 24, plate 8); sometimes by large *dredge wheels* moved by the foot, over which passes a long endless rope with earthen jars fixed to it such as are still in use at the present day (comp. the description of this *Sakit tadîr beridschel* in Niebuhr's *Reise*, i. p. 149, with the illustration on plate 15, ii.); sometimes by more complex machines moved by oxen, such as Niebuhr has described, p. 148 f., and figured on plate 15, i. and iii. Those dredge or tread-wheels, because turned by the foot, are no doubt those meant in Deut. xi. 10, and identified with the ὑδρηλὸν ὄργανον described by Philo, *de confus. lingu.* i. 410, ed. Mang., as ἕλιξ; for they were also used, according to the commentators on Mischna *Peah* v. 3, in Palestine; but they are to be distinguished from both the other more complex water machines represented in Niebuhr, and wholly different from the Egyptian κοχλίας, which, according to Diod. Sic. i. 34, is said to have been invented by Archimedes. For, while Philo describes the ἕλιξ as a simple foot-wheel, the description given by Diod. Sic. v. 37 of the κοχλίας used in the silver mines of Spain to remove water from the shafts, unmistakably points to the so-called cockle or water screw of Archimedes, to the cochlea quæ magnam copiam extollit aquæ sed non tam alte, which Vitruvius minutely describes, *De architect.* x. c. 6 (11). It consists of a thick cylinder made of wood with a spindle or axle going through it, round which there is carried a canal in the form of a screw or spiral, whereby, as it is enclosed by the surface of the cylinder and only opened at the lower and upper ends, the water is wound up as it revolves. For fuller particulars regarding its construction, see in Ersch and Gruber's *Allg. Encyklop.* i. Th. 5, p. 145 f.

(7) The manuring of the fields appears from the comparisons used: "as dung (דֹּמֶן) on the field," 2 Kings ix. 37; "dung for the land," Ps. lxxxiii. 11. The preparation of manure from straw trodden in the dunghill, appears from the figure Isa. xxv. 10. Comp. Paulsen, *Zuverl. Nachrichten vom Ackerbau der Morgenländer*, p. 38.—Besides, manuring with dung might be replaced by the burning of stubble (Isa. v. 27, xlvii. 14; Joel ii. 3), sometimes by the remains of the chaff left in threshing, sometimes, finally, by keeping cattle on the fields.

(8) Michaelis, *M. R.* iv. § 218 f., seeks in his own way to account for the prohibition of sowing promiscuous seed in a field by the design of the lawgiver to accustom a rude people carefully to seek out the seed kernels to the exclusion of weeds, —a view which even Winer (*R. W.* art. "Saat") finds all too poverty-stricken. The real ground is to be found in the unnaturalness of such sowing. And therefore it is not contrary

to the law if a field is sown with different kinds of grain, each divided off by itself, if a wheat or barley field was enclosed along with spelt (Isa. xxviii. 25).—The Rabbins have sought in Mischna *Kilaim* c. 1–3 to distinguish the various seeds, vegetables, and orchard fruits, according to their homogeneity or heterogeneity; they apply the law itself, however, only to the fields of the Holy Land. Comp. Hottinger, *Juris Hebr. leges*, p. 376 sqq.

§ 118. *Field Work.*

In their fields the Israelites cultivated not only grain, wheat, barley, spelt, millet, and lentils (2 Sam. xxiii. 11), but also flax, cucumbers (Isa. i. 8), beans, cummin, and fennel (Isa. xxviii. 25). Both in the taking in of new land (נִיר, *novale*, Prov. xiii. 23; Jer. iv. 3) as on fields already cultivated, the soil was broken up with the plough (פְּתִחַ, חָרַשׁ), then levelled with the harrow and the clods loosened (שָׁדַד). The plough, presumably similar to those used in Egypt, variously but in general lightly constructed (1), and the harrow were drawn by oxen (1 Kings xix. 19 f.; Job i. 14; Amos vi. 12) or cows (Judg. xiv. 18), perhaps also by asses (Isa. xxx. 24, xxxii. 20), which were yoked (צָמַד), though never ox and ass together (Deut. xxii. 10), and were driven with a stick (מַלְמֵד). For sowing, furrows (תֶּלֶם, מַעֲנָה) were drawn, and the seed was sown or laid in furrows (שׂוּם, Isa. xxviii. 25, and מָשַׁךְ הַזֶּרַע, Amos ix. 13), and hence the great fruitfulness rising to a hundredfold harvest (Gen. xxvi. 12; Matt. xiii. 8 ff.).—The *sowing* began after the feast of tabernacles and fell in the end of October and in November, that is to say, in the time when the autumn rains come, not suddenly, but gradually, thus leaving the farmer time to sow his wheat and barley fields (2). Summer fruits (millet, beans, etc.) were sown in January and February.—*Harvest* began with barley (2 Sam. xxi. 9; Ruth ii. 23), which ripens in Palestine from two to three weeks before wheat, and was opened by law on the 16th of Nisan with the presenting of the first barley sheaf (comp § 82, note 2). At the present day harvesting occurs in the Jordan valley during April and the beginning of May, whereas in the hill country grain ripens fourteen days, and on mountain lands four weeks later (3). Lentils and vetches are ready for

harvest almost at the same time with barley (4), then come wheat and spelt, so that the grain harvest in its chief part closed about Pentecost.

Grain was cut with the sickle (חֶרְמֵשׁ, מַגָּל, Deut. xvi. 9), the reapers living on parched corn and bread dipped in vinegar (Ruth ii. 14) (5). What was cut was gathered on the arm (Ps. cxxix. 7), bound in sheaves (עֹמֶר, עֲמִיר, אֲלֻמָּה), and these laid in heaps (עֲרֵמָה, Song of Sol. vii. 2; גָּדִישׁ, Ruth iii. 7) to be immediately threshed, while the gleanings belonged to the poor (Lev. xix. 9; comp. Ruth ii. 2).—*Threshing-floors* were places in the open air, levelled and trampled hard, generally on heights, so that in winnowing the wind might drive away the chaff (Hos. xiii. 3; Jer. iv. 11). *Threshing* (דּוּשׁ) was done in various ways. Sometimes oxen, several of them yoked together, were driven to and fro over the heaps of ears spread on the floor to tread out the kernels with their hoofs (Hos. x. 11). Sometimes this was done by *threshing machines*, formed either of planks provided with numerous incisions like a file, probably also with sharp-pointed stones (*threshing-sledges*, מוֹרַג חָרוּץ, or simply חָרוּץ, Isa. xxviii. 27, *trahea*), or of small waggons with low cylindrical wheels like saws (עָגָלָה, Isa. xxviii. 27), which, weighted with stones or iron, were drawn by cattle over the grain; an ordinance of the law providing that no muzzle should be put on the ox thus employed (Deut. xxv. 4). —It was customary for the poor to beat out small quantities of grain with a stick (Ruth ii. 17), which otherwise was done only in times of necessity (Judg. vi. 11), and as a rule in the case of leguminous fruits (Isa. xxviii. 27).—Threshing was followed by *winnowing*, to separate the kernels from the chaff; then the corn was carried by beasts of burden or on carts into barns (מְזֵרוֹת, אֲסָמִים, מַמְּגֵרוֹת, *ἀποθῆκαι*, Luke xii. 18), but the chaff along with the stubble was burned on the field (Matt. iii. 12).—During harvest and threshing time the owners used to sleep at night beside their sheaves on the threshing-floor to watch the grain (Ruth iii. 2 ff.) (6).

(1) Views of Egyptian ploughs in Wilkinson, *l.c.* ii. p. 136. Perhaps the old Egyptian plough still more resembled that which is yet in use in Syria and Palestine, which Tobler, *Denkblätter aus Jerusalem*, p. 272 ff., has minutely described.—Representations both of the Egyptian and Syrian ploughs, and

generally of the field operations, sowing and harvesting, of the ancient Egyptians, are given by Riehm, *Hdwb. des bibl. Altert.* i. p. 20 f.

(2) Comp. Robinson, *Palestine*, i. p. 429.

(3) Robinson (i. 431, 540) found the wheat harvest at Jericho already nearly over on the 14th of May, whereas at Tiberias it was not so far advanced till the 19th of June (ii. 388).

(4) Comp. Robinson, *ibid.* ii. p. 83.

(5) So still, according to Robinson (ii. p. 50), "in harvest time the grains of wheat, not yet fully dry and hard, are roasted in a pan or on an iron plate, and constitute a very palatable article of food; this is eaten along with bread, or instead of it." Only Robinson heard nothing of vinegar.

(6) This mode of harvesting has been kept up in Palestine in all particulars to this day. It is not only attested by monuments so far as ancient Egypt goes, but frequently described by modern travellers.—The three kinds of threshing are still customary in Egypt, Palestine, and Syria. See the illustrations in Riehm, pp. 22 and 23. Comp. Wetzstein, "Die syrische Dreschtafel," in Bastian's *Ztschr. f. Ethnologie*, 1873, p. 270 ff.; and Petermann, *Reisen im Orient*, i. p. 74.—Even the leaving of the gleanings to the poor (comp. Robinson, ii. p. 100), with the custom of letting the cattle used for harvesting eat the ripe grain unmuzzled (*ibid.* ii. p. 216), has been kept up among the Arabs; and the Egyptian monuments represent oxen threshing without muzzles; only now there are sometimes yoked together various animals, oxen and asses; horses are also employed for the work; and subterranean vaults or caves are frequently used for barns, of which we have no proof in the Old Testament, though in Luke xii. 18 we have probably a proof for the building of barns. Comp. also the representation of corn magazines in ancient Egypt in Wilkinson, ii. pp. 135 and 136, and of the modern kind of threshing with the sledge, *ibid.* p. 190.

Regarding the cultivation of *flax* and *cotton* the Old Testament says very little. Flax (פִּשְׁתָּה) was cultivated by the Canaanites, according to Josh. ii. 6. The Israelites, however, must have learned the working of it in Egypt, where especially in the delta flax thrives remarkably well and was greatly cultivated (Ex. ix. 31) (7); and they seem to have grown it in Palestine wherever the soil was suitable, for according to Hos. ii. 7, Prov. xxxi. 13, flax and wool were to be found in every house, and were wrought by the housewife. Later statements give Galilee as the land which produced flax in larger quantities; and the linen of the

Hebrews enjoyed a high reputation (8). — *Cotton* also (שֵׁשׁ or בּוּץ, comp. § 17, note 5), and that the herbaceous plant (*gossypium herbaceum*) which is sown yearly throughout all Western Asia, and grows in the fields (not the cotton tree, *goss. arboreum*), must have been cultivated by the Israelites from high antiquity, for in 1 Chron. iv. 21 among the ancient households of Judah there is named a family of workers in byssus; and the cotton plant was raised in Palestine not only in the time of Pausanias (v. 4. 2), but also in the Middle Ages, as it is still here and there in the most recent times (9).

(7) Comp. Winer, *R.W.*, art. "Flax;" and views of the Egyptian flax harvest in Rosellini, *Monum. civil.* i. p. 333 sqq.; and of the working of flax in Wilkinson, iii. p. 137 sqq.

(8) Comp. Mischn. *Baba kam.* x. 9; *Ketuboth* v. 9; and Movers, *d. Phönizier*, iii. 1, p. 216 ff.

(9) Comp. Movers, *ubi supra*, p. 219; Robinson, *Palestine*, i. 561, ii. 33, 319, iii. 476; and Riehm, *Hdwb.* i. p. 155 ff.

§ 119. *Wine and Olive Culture.*

The *culture of the vine* was carried on all over Palestine, not only at Hebron and Engedi (Num. xiii. 24; Song of Sol. i. 14), but also at Shechem, on Carmel, and in the plain of Jezreel (Judg. ix. 27; 2 Chron. xxvi. 10; 1 Kings xxi. 1 ff.), on Lebanon (Song of Sol. viii. 11; Hos. xiv. 8), and beyond Jordan (Isa. xvi. 8 f.; Jer. xlviii. 32), and formed a very important branch of the Israelitish land cultivation, the branches being remarkable for their size and thickness, and the grapes for their sweetness (1). The *vine hills*, or vineyards (כְּרֶם), were laid out on slopes and hills (Isa. v. 1; Jer. xxxi. 5). The soil was dug and loosened, cleared of stones, enclosed by a wall (גָּדֵר) to prevent the earth from being washed away by torrents (Num. xxii. 24), and secured by hedges (מְשׂוּכָה) against the devastations of foxes (Song ii. 15), jackals, goats, and hares. A watch-tower was also built, a press cut out in the rock, and good shoots planted (Isa. v. 1–4). Finally, it was sought to further and increase (Isa. v. 6) the growth and fruitfulness of the branches by cutting them (זָמַר) with the pruning-knife (מְזַמֶּרֶת), and repeated

loosening (עֲדַר) of the soil.—The proprietor was richly repaid for such work. The *grape-gathering* (בָּצִיר), which took place in September (2), was a general festival, grapes being plucked amid song and mirth, and brought in baskets to the wine-press (Judg. ix. 27; Isa. xvi. 10). The *press* (יֶקֶב, פּוּרָה, ληνός) was commonly hewn out of the solid rock (חָצַב, ὀρύσσω, Isa. v. 2; Matt. xviii. 33), and consisted of a large stone trough (גַּת) with an opening in the middle of the bottom, under which a smaller vat (*ὑπολήνιον*, Isa. xvi. 10; Mark xii. 1) was hollowed out in the stone, into which the juice flowed through the opening when the grapes were pressed in the upper trough (Isa. lxiii. 1) (3). — The juice thus pressed (תִּירוֹשׁ) was put partly into skins (Job xxxii. 19; Matt. ix. 17), partly into large earthen jars (Jer. xlviii. 11), either to be drunk fresh (Judg. ix. 13; Hos. iv. 11), or left to ferment, or to be cooked to a syrup as grape honey (Gen. xliii. 11; Ezek. xxvii. 17). The fermented wine was frequently left for a time on its lees (שְׁמָרִים); and if the first fermentation did not suffice, it was not poured off the lees till after a second fermentation increasing its strength (Isa. xxv. 6; Jer. xlviii. 11), to be kept for use thereafter in jars or skins, especially if it was meant for transportation (1 Sam. xvi. 20; Judith x. 6) (4).

(1) Comp. Rosenmüller, *Bibl. Althk.* iv. 1, p. 213 ff.; and on the choice shoots (שֹׂרֵק), also Oedmann, *Vermischt. Samml. aus der Naturk.* vi. p. 98 ff.

(2) Although on the mountain land of Judah, grapes are already ripe in July, comp. Robinson, *Palestine*, i. p. 431; and on the way in which vine culture is carried on in Hebron at the present day, *ibid.* ii. p. 81.

(3) Such an ancient winepress in perfectly good condition was discovered by Robinson on the way from Shechem to Joppa at Hableh. "Advantage had been taken of a ledge of rock; on the upper side, towards the south, a shallow vat had been dug out, eight feet square and fifteen inches deep, the bottom declining slightly towards the north. The thickness of rock left on the north was one foot; two feet lower down on that side another smaller vat was excavated, four feet square by three feet deep. The grapes were trodden in the shallow upper vat, and the juice drawn off by a hole at the bottom (still remaining) into the lower vat." *More Recent Biblical Researches*, p. 137.—The kinds of winepress in ancient Egypt

were very various, as is shown by the description and views in Wilkinson, ii. pp. 152–156, with which compare the representations of vineyards and grape-gathering, p. 143 sqq.

(4) Illustrations of old Egyptian wine jars in Wilkinson, ii. p. 157 sq.

The *cultivation of the olive* bulked as largely, if not more so. The noble olive trees with their grey-green leaves were reared in gardens (כֶּרֶם זַיִת) chiefly on heights and mountains, for they love sandy and dry soil. They are propagated by sprigs, grow slowly, reach a great age; and if the branches begin to wither, they may be again strengthened by the ingrafting of branches from the wild olive, so as to bear good fruit (5). These fruits, olives, which develop from white blossoms in the form of round berries, at first green, then purple and black, to the size of a pigeon's egg, have a hard kernel, and ripen in September. They are beaten off (חָבַט, Deut. xxiv. 20, or נָקַף זַיִת, beating off, *i.e.* harvesting of olives, Isa. xvii. 6, xxiv. 13), partly when unripe, and then either pounded, by which the finest oil of a white colour (שֶׁמֶן כָּתִית, Ex. xxvii. 20, xxix. 40) is got; or they are trodden in presses (pressed דָּרַךְ, Micah vi. 15), or finally squeezed in oil mills (6). Olives when quite ripe and very fleshy, give an inferior oil. Still more so is the poor oil yielded by the fruit of the wild olive (comp. vol. i. p. 44). For the most part, only the wood of this tree, as being firm, lasting, and taking on a good polish, was employed for fine buildings (1 Kings vi. 23), and its branches used at the feast of tabernacles (Neh. viii. 15).

(5) Comp. Columella, *De re rust.* v. 9. 16; Palladius, *De re rust.* xiv. 13; and Stephan Schulz, *Leitungen des Höchsten*, v. p. 88: "In Jerusalem I heard from many that if a cultivated olive loses its branches, they fetch wild olive branches from the Jordan, graft them into the stem, and then it bears good fruit." This in explanation of Rom. xi. 17 ff., though the apostle has given the figure a different turn.

(6) A farm on the Mount of Olives probably derived from an oil press the name Γεθσημανῆ (גַּת שְׁמָנָא, Matt. xxvi. 36), and there now stand enclosed some very old olive trees; comp. Robinson, *Palestine*, i. p. 234. For other less probable derivations of the name, see Winer, *R.W. sub verbo.*—Oil presses and mills (*molæ olearіæ*, Varro, *De re rust.* i. 55. 5) are first mentioned in the Talmud, Mischn. *Tehor.* ix. 8; and the process of oil-making is more particularly described, Mischn. *Menach.* viii. 4.—Olives

were also moistened and preserved in salt water (according to Colum. and Dioscor. in Winer, *R.W.* ii. p. 171). There is no proof, however, of such a preparation among the Israelites, though at present, in the region from Hasbeya to Damascus, olives laid in salt are the commonest food of the inhabitants; and, even in Damascus and Aleppo, olives preserved in water, with a solution of chalk and alkaline salt, are brought to table. Burckhardt, *Travels.*

§ 120. *Fruit and Garden Culture.*

As Palestine was and still is, to some extent, rich in noble fruit or orchard trees (vol. i. p. 43 f.), the Israelites must have given much attention to the cultivation of fruit, though particulars are wanting in Scripture. There is reference to the planting of fruit trees in the land in Lev. xix. 23, and, besides pomegranate and nut trees, which are mentioned in Song of Sol. vi. 11, as garden trees, fig, pistachio, and almond trees were, no doubt, mostly reared on account of their highly valued fruits, but perhaps also apple and pear trees (see vol. i. p. 45 f.).—Gardens were probably often joined to vineyards, as in Egypt (1). One part of the garden was used as a vineyard, the rest laid out in trees and devoted to the cultivation of kitchen herbs, sweet-smelling plants and flowers (Song of Sol. iv. 13 f.). They were laid out near the houses (2 Kings xxi. 18; Sus. 4), that people might take rest under their vine and fig tree (1 Kings iv. 25; 1 Macc. xiv. 12), frequently also by brooks and streams (Num. xxiv. 6; Deut. xi. 10), that they might be easily watered. Where brooks were wanting, springs were sought (מַעְיְנֵי גַנִּים, Song iv. 15), and ponds made (Eccles. ii. 6); or the pools in the neighbourhood were utilised for irrigation (Neh. iii. 15) (2).

Simple *gardens* (גַּנּוֹת) were mostly used for planting fruits (Jer. xxix. 5, 28; Amos iv. 9, ix. 14), and for growing vegetables (herb gardens, גַּן יָרָק, Deut. xi. 10; 1 Kings xxi. 2). But besides these, kings and rich people had large parks (פַּרְדֵּסִים, Eccles. ii. 5; Song iv. 13; παράδεισος, Sus. 7) or *pleasure gardens*, in which, besides all sorts of fruit trees and sweet-smelling plants, forest-like groups of trees were planted, and ponds provided, not only for irrigation (Eccles. ii. 6), but also for bathing (Sus. 18). These ornamental gardens

were probably first laid out in Jerusalem by Solomon (3). They served chiefly for promenading and enjoyment, as also for resting-places for the dead, family graves being laid out in shady places (2 Kings xxi. 18, 26; John xix. 41). But they were also abused for idolatrous purposes by the erection of altars and idols under the green trees (2 Kings xiv. 23, xvi. 4; Isa. i. 29, lxv. 3, etc.).

(1) Comp. Wilkinson, ii. p. 142 sqq.

(2) The irrigation of gardens of herbs was, no doubt, like that which Robinson (*More Recent Biblical Researches*, p. 133) found at Nâblus, and thus describes: "The ground was divided off into beds, 6 or 8 feet long by 3 or 4 feet wide, and these were surrounded by a rim, like pans, to receive and retain the water. This mode is used especially for garden vegetables."—In large parks the irrigation was, of course, more complex (comp. § 117, note 6), similar to that described by Wilkinson, ii. pp. 137–145.

(3) Apart from the words of Solomon (Eccles. ii. 5 f.): "I made me gardens and orchards, and planted trees in them of all kinds of fruits; I made me pools of water, to water therefrom the forest where trees were reared," this appears from the name פַּרְדֵּס, which occurs first in the Song of Solomon; and, being derived from Upper Asia, no doubt through the intercourse opened up by Solomon with distant foreign countries, became naturalized in the Hebrew tongue, and in Neh. ii. 8 denotes a royal forest. We do not, however, mean to assert that Solomon transplanted the name and thing (Pardês) immediately from Babylonia or Persia to Jerusalem. Such a park might already in his time have been brought, with its upper Asiatic name, to Egypt; so that Solomon was made acquainted with them by the Egyptian king's daughter whom he married, and led to lay out a similar one in Jerusalem. For the fruit garden and vineyard figured by Wilkinson, ii. p. 143, copied from a representation in the tombs of Thebes, shows a very artistic park belonging to an ancient Egyptian king.—Such a park Solomon had at Etam (the present village Artâs), south-west from Bethlehem, of which there are still preserved three ancient ponds, large basins in the shape of an oblong quadrangle of considerable compass, lying behind one another in terraces; comp. Delitzsch on the Song of Sol. vi. 11 (*Bibl. Comm. zum A. Test.* iv. 4, p. 103).—Saalschütz, *Archäol.* i. p. 123, erroneously regards the "forest house of Lebanon," built by Solomon, as a "garden house provided with long open porticos and airy rooms, which received its name from the libanotic trees and growths with which it was shaded and enclosed."

SECOND CHAPTER.

CATTLE-REARING, THE CHASE, AND FISHING.

§ 121. *Cattle-rearing among the Israelites.*

Besides agriculture, the Israelites after their settlement in Canaan continued to follow the rearing of cattle, the industry mainly pursued by the patriarchs, not only the tribes who on account of their great wealth in herds settled in Perea (Num. xxxii. 4, 16), in the rich pasture land of Gilead and Bashan, but the other tribes as well who were more devoted to field work. These farmers, and many of them too, kept in very considerable herds (1 Sam. xxv. 2) oxen, asses, sheep, and goats, and used oxen and asses in field labour, ploughing, harrowing, threshing, drawing waggons and bearing burdens, while they used the flesh of oxen and small cattle, and milk, wool, skin, and hair, for food, clothing, and other necessaries of life (comp. § 12). — The tending of the cattle was seen to, partly by the owners and their children, partly by men-servants and maid-servants. All summer the cattle remained on their pastures in the open air, and were penned during the night in folds (גְּדֵרָה, מִכְלָא, *αὐλή*, Luke ii. 8, moveable enclosures), kept and watched by shepherds. These were armed with a staff, having a crook at the end to catch the beasts by the foot, and with a pouch for provisions; sometimes they were also provided with a sling (1 Sam. xvii. 40); and they had usually dogs to keep off wild beasts (1).—As the sons and daughters of well-to-do and noble owners of flocks occupied themselves with the care of cattle (1 Sam. xvi. 11, xvii. 34), the shepherd profession was generally highly respected, and many shepherds, *e.g.* David, Amos, were well educated.—Rich men who reared cattle delivered their flocks to an over-shepherd (שַׂר מִקְנֶה, Gen. xlvii. 6; אַבִּיר הָרֹעִים, 1 Sam. xxi. 8; *ἀρχιποιμήν*, 1 Pet. v. 4), who had to answer for every misfortune, and to replace every head that went amissing through his fault (Gen. xxxi. 38 ff.); and on this account, especially on wide-spreading pastures (wildernesses), the heads were counted daily (Jer. xxxiii. 13; Ezek. xx. 37). Hence shepherding required the greatest vigilance and care in tend-

ing the flocks (Isa. xl. 11; comp. Gen. xxxiii. 13); and the payment, which was made, not in money, but in a certain portion of the products, especially the milk (1 Cor. ix. 7), was a small one, so that the herds or cattle-keepers (בּוֹקֵר, 1 Sam. xvii. 20) had to satisfy themselves with poor food and clothing. Enveloped in a coarse cloak (2), they had to live on sycamore fruit (Amos vii. 15).—In autumn, when the rainy season set in, the herds were driven to stalls, where they remained till spring, about the time of the Passover, and were fed with hay, straw, and a salted composition (Prov. xxvii. 25; Amos vii. 1; Isa. xi. 7) (3).

The wealth of the Israelites in herds consisted chiefly of *small cattle* (sheep and goats), for which the many hills and steppes of the land, with their saline plants, provided rich and excellent pasture; and of *oxen*, which throve best on the fat pastures of Bashan and of the plain of Sharon (1 Chron. xxvii. 29). *He-asses* and *she-asses*, which the patriarchs had in great numbers (Gen. xii. 6; Job i. 3), were less numerously bred in later times, because the Israelites used them only as beasts of draught and burden. Still more insignificant was the rearing of *camels*, because this animal can only be used with advantage for longer journeys. While David had special overseers in his herds for she-asses and camels (1 Chron. xxvii. 29), we find only sheep and oxen mentioned as forming the wealth of Hezekiah (2 Chron. xxxii. 29). The introduction of *horses* under David, and especially under Solomon, may have contributed to the gradual decrease of asses (4); for from this time kings and nobles instead of asses and mules (Judg. x. 4, xii. 14; 2 Sam. xiii. 29, xviii. 9; 1 Kings i. 33, 38) used horses for riding and driving (2 Kings ix. 21, 33, xi. 16; Isa. xxx. 16; Amos iv. 10), and private persons used them for threshing (Isa. xxviii. 29), no doubt also for other field work; though in the mountainous and rocky territory of Palestine asses and mules, because of their sureness of foot, were useful in many respects, and had an advantage over horses even for riding, on account of which they are still much used for this purpose at the present day (5).

(1) Shepherds had often to fight (1 Sam. xvii. 35; Amos iii. 12; Isa. xxxi. 4) with wild beasts (wolves, bears, and lions).

—To secure flocks on the steppes against robbers, watch-towers were built (Micah iv. 8; 2 Chron. xxvi. 10), to espy threatening dangers from a distance; and in such regions the shepherds had also tents for dwellings (2 Chron. xiv. 14; comp. Song i. 8; Isa. xxxviii. 12).

(2) Probably a sheep-skin; comp. Jer. xliii. 12, and Hitzig on the passage.

(3) The בְּלִיל חָמִיץ, salted composition (Isa. xxx. 24), consisted of kernels of grain mixed with salt, for it was cleaned with the fan, whereas the Easterns otherwise mix saline herbs with the food of cattle. Comp. Bochart, *Hieroz.* i. p. 55, ed. Lips.; and Harmar's *Beobacht.* i. p. 49.

(4) Comp. Michaelis, *Geschichte der Pferdezucht in Palästina, im Anhange zu Th.* 3 *des Mos. Rechts.*

(5) All the accounts of the ancients regarding cattle and cattle-rearing have been collected by Bochart, *Hieroz.* i. p. 1 sqq., ed. Lips.

There is little in Scripture regarding other domesticated animals. *Dogs* were despised animals which roamed about in the cities mostly without owners, as they still do in the East. They were wild and ravenous (1 Kings xiv. 11, xvi. 4, xxi. 19; 2 Kings ix. 36); but were kept nevertheless, according to Job xxx. 1, from ancient times to watch the flocks and probably also houses; later, small dogs were kept as pets (Tob. v. 11, xi. 4; Matt. xv. 27) (6).—*Fowls* are not mentioned in the Old Testament, but first in the New (Matt. xxiii. 37, xxvi. 34 ff.; Mark xiv. 30 ff.), though the rearing of fowls could hardly have been unknown to the Israelites from their Egyptian experience, and it is assumed in the Talmud as widely spread among the Jews (7).—Finally, *bee-culture* seems to be referred to by the expression שָׁרַק, Isa. vii. 18, in so far as it denotes the enticing of bees from and to their hives. According to Philo, it was greatly prosecuted by the Essenes; it is often mentioned in the Mischna; but there is no clear reference to it in the Old and New Testament, for the abundance of honey in the land of Canaan may be explained from its wealth of wild bees (8).

The law sought to bring the rearing of cattle also into harmony with the mission of Israel. The people were trained by various ordinances to be gentle and sparing toward their beasts (Lev. xxii. 28; Ex. xxiii. 5 and 19; Deut. xxii. 4, 6 f.). They were also forbidden to associate

beasts of different kinds for breeding (Lev. xix. 19), or to cut them (xxii. 24); that as they were created by God pure and good, they might be preserved in their natural separateness and peculiarity (9).

(6) Comp. Oedmann, *Vermischte Sammlungen*, v. p. 26 ff.

(7) Comp. Othonis, *Lexic. rabb. philol.* p. 256 sq.; and Winer, *R. W.*, art. "Hühner."

(8) More on the subject in Winer, *R. W.*, art. "Bienen;" and above, § 97, note 4.

(9) The Rabbins found the reason of the prohibition (Lev. xix. 19) in the view, that omnia primo creatoris ordini, quo perfectioni creaturæ consultum voluit, respondeant. Comp. Hottinger, *Juris. Hebr. leges*, p. 374 sq.—The other prohibition is restricted by Clericus and Knobel on Lev. xxii. 24 to the sacrificing of castrated beasts. But the scruples of Clericus were sufficiently set aside by Michaelis, *M. R.* iii. p. 160, who at the same time remarks that on this understanding of the words: "In your land ye shall not have (mutilated beasts)," the whole sentence would be tautological, and the clause, "in your land," would be altogether out of place. But on this point the testimony of Josephus is decisive (*Antiq.* iv. 8. 40: *μὴ ἐξεῖναι ποιεῖν ἐκτομίας, μήτε ἀνθρώπους, μήτε τῶν ἄλλων ζώων*); and of the Rabbins, who all find in this passage a prohibition of the castration of animals. On such a point a misunderstanding of the law could not possibly arise so long as the Jewish state was in existence.

§ 122. *Hunting and Fishing.*

The chase (צַיִד), pursued so early as by Nimrod (Gen. x. 9) and Esau (Gen. xxv. 27), did not form a special occupation among the Israelites, but was practised by farmers and shepherds only by the way, partly to kill game (Gen. xxvii. 3 ff.; Prov. xxvii. 12; Sir. xxxvi. 21 [24]), partly to destroy beasts of prey. For this purpose hunters used not only the bow and arrow (Gen. xxvii. 31) and slings (1 Sam. xvii. 40), but also nets (רֶשֶׁת, מִכְמָר, מָצוֹד), snares (מוֹקֵשׁ, פַּח, צְפִּים), and pits (שַׁחַת, פַּחַת), especially for larger animals, gazelles (Isa. li. 20), lions (2 Sam. xxiii. 20; Ezek. xix. 4), and others (comp. Job xviii. 8 ff.) (1).—In favour of wild beasts the law required that the produce of the land in the Sabbatic year shall also serve their wants (Ex. xxiii. 11; Lev. xxv. 7),

a provision whereby they might thrive in that year. Further, it prescribes when a bird's nest was found with young or eggs, on which the mother was sitting, that the mother shall not be taken with the young, but allowed to escape (Deut. xxii. 6 f.). As Jehovah's people, who, as the creator and preserver of all life, has mercy also on beasts (Ps. civ. 21, cxlvii. 9; Job xxxviii. 41), Israel is required to deal sparingly and mercifully with the brute creation (2). — Lastly, Israelites and strangers among them are required to let the blood flow from the edible wild beasts and birds they hunt, and to cover it with earth (Lev. xvii. 13), in order that even this blood of beasts might be counted holy.

(1) Of hounds and falcons trained for the chase, which were used in ancient times and still are in the East (comp. Winer, *R. W.*, art. "Jagd"), there is no trace among the Israelites.

(2) Comp. M. Baumgarten on Deut. xxii. 6; whereas Michaelis, *M. R.* iii. § 171, seeks also in connection with this command to prove only economical utilitarian ends.

Fishing (דִּיגָה) is mentioned in the Old Testament only in figures (Jer. xvi. 16; Amos iv. 2; Ezek. xxix. 4, and xlvii. 10), whence, however, it is evident that the Israelites were well acquainted with it. Already in Egypt they acquired such a liking for the fish of the Nile, that they felt the want of them painfully in the desert (Num. xi. 5). Besides, the Sea of Galilee was and is still very rich in good fish, so that in the time of Christ fishing on it was pursued as a profession to a great extent (Matt. iv. 21, viii. 23; Luke v. 5 ff., etc.). Fishers sometimes used nets of different kinds and sizes (מְצוֹדָה, רֶשֶׁת, δίκτυον; חֵרֶם, ἀμφίβλησστρον; and מִכְמֹרֶת, σαγήνη, the drag-net, Hab. i. 15), sometimes hooks (חַכָּה, Isa. xix. 8) (3), and chose the night specially for fishing (Luke v. 5; John xxi. 3). After the exile, and perhaps even earlier, the Phœnicians brought sea-fish to Jerusalem to market (Neh. xiii. 16), and one gate of the city seems to have taken its name, *Fish-gate*, from this market (2 Chron. xxxiii. 14; Neh. iii. 3, xii. 39).

(3) Fish-hooks and harpoons (סִיר and צִנָּה, Amos iv. 2; Job xl. 26) are also mentioned, which were probably used only to take large Nile fish and crocodiles. Hence they were doubtless known to the Israelites, along with the custom of putting

rings through the gills of fish that had been taken, fastening them to the shore with lines, and leaving them in the water to be sold alive. Comp. Bruce, *Travels in Abyssinia*, in Oedmann, *Vermischte Samll.* vi. § 5; and Rosenmüller, *Bibl. Althk.* iv. 2, p. 245. — More on the fish of the Sea of Galilee and of the Jordan, see in Riehm's *Hwb.* p. 439 ff.

SECOND SECTION.

TRADE AND INDUSTRY.

FIRST CHAPTER.

INDUSTRIES AND HANDICRAFTS.

§ 123. *Their Development among the Israelites.*

The wandering life of the patriarchs, with its simple domestic economy, had too few earthly wants to be favourable to the cultivation of handicrafts. The making of the necessary clothing, like the preparation of the simple food, was looked to by the fathers or mothers, or by man and maid servants. No doubt they were also able, not only themselves to make the simple and coarser stuff of wool, linen, leather, and hair for clothing and tent curtains, but also the necessary furniture for the house, implements, and weapons of wood and metal. Thus they needed only to buy finer materials and cloth, articles of ornament and art, from the merchants who travelled through the land, or from the inhabitants of Canaan.—It was in Egypt first that the children of Israel, the longer they were brought into all the relations of a highly advanced domestic and social life, became acquainted with the various wants of the household in its manifold grades. Here also they not only found the opportunity, but were partly compelled to exercise themselves in trades and mechanical arts. So that when the exodus took place under Moses, they were in a position to execute all that was required to set up the tabernacle and prepare the entire apparatus of worship, —in some respects very artistic work in wood and metal (gold, silver, and brass), in engraving and setting precious

stones, in weaving with various colours, embroidery, and the like,—all without the assistance of foreign artisans, only the two overseers being represented as specially endowed by Jehovah with understanding and insight for the execution of the works requiring art (Ex. xxxv. 30–xxxvi. 1) (1).

In the time immediately following, the Israelites indeed made no progress in mechanical arts, but during the wars in the time of the Judges they rather went back, and at last fell so completely under the yoke of the Philistines, that there was not a smith to be found in the land, and all Israel had to go to the Philistines to have their implements and tools sharpened (1 Sam. xiii. 19 ff.). Hence Solomon was obliged to bring a builder and artisan from Tyre for the building of the temple and of his palace, and even to get the wood and stone for them hewn by Tyrians (1 Kings vii. 14 ff., comp. with v. 20) (2). But through these very buildings, and all that this wise king, during the peaceful reign secured by the victorious career of David, effected for the welfare of Israel, and the blossoming of all the arts of peace, there was a wonderful development of industries and handicrafts in Israel. So much was this the case, that with the increasing prosperity and wealth of the nation, luxury began to prevail, and special trades arose, at least in the larger cities, for many kinds of work which were formerly done in the home (3); though down to the destruction of the kingdom by the Chaldeans, the cultivation of the land and rearing of cattle continued to be the chief occupations of the people. Not till the exile and the succeeding times of oppression under foreign dominion, and with the increasing dispersion of the Jews throughout strange lands, was the disposition for handicrafts so developed among them as we find it in the writings of the Rabbins, according to whom it was regarded as a sign of bad education if any one did not bring up his sons to a trade (4).

(1) How they could learn all these arts in Egypt has been shown by Hengstenberg, *BB. Mos. u. Æg.* p. 136 ff.

(2) In connection with which it must be remembered that these buildings demanded uncommon skill; *e.g.*, the casting of the colossal brazen vessels of the temple, with their carved work, could have been carried out even in our time only by the most distinguished masters of metal-casting.

(3) So there are mentioned in cities, bakers (אֹפֶה, Hos. vii. 4; Jer. xxxvii. 21), fullers (כֹּבֵס, 2 Kings xviii. 17), barbers (גַּלָּב, Ezek. v. 1), cheesemakers (*τυροποιοί*), in Josephus, *bell. jud.* v. 4. 1, and many other trades besides in the Talmud. Comp. the vivid description of the development, extension, and position of trades among the Jews in the time of Christ, in the little work of Frz. Delitzsch, *Jüdisches Handwerkerleben zur Zeit Jesu*, 2 A. Erl. 1875.

(4) Comp. Othonis, *Lexic. rabb. philol.* p. 491. According to this, the scribes also, as a rule, learned a trade, by which they earned their living; as, for example, Paul, Acts xviii. 3. Comp. Delitzsch, *ubi supra*, p. 76 ff.

§ 124. *The chief Trades.*

Regarding the degree of technical perfection which the different trades and mechanical arts reached among the Israelites, and the way in which they were cultivated, we have no particular information. The most frequent notices are those of works in wood and metal in the prophetic descriptions, especially of idolatry.

1. *Woodwork* (חֲרֹשֶׁת עֵץ, Ex. xxxv. 33) falls into the work of the carpenter, joiner, carver, or sculptor, which were probably never strictly separated from one another, and into waggon and basket making. The first three kinds came into use in the construction of the tabernacle (Ex. xxv. 10 ff., xxxv. 30 ff., xxxvii. 1, 10, 15, 25). Moreover, the Israelitish princes have waggons, covered ones, too, in the desert (עֲגָלַת צָב, Num. vii. 4), and so must have brought them from Egypt (1); and baskets are mentioned in Num. vi. 15 ff., Deut. xxvi. 2, 4, under various names, סַל and טֶנֶא, and so probably of various kinds and workmanship.—Of tools for carpenters and joiners there are incidentally mentioned axe and hatchet (גַּרְזֶן, קַרְדֻּם), saw (מְשׂוֹר), plane (מַקְצֻעָה), compass (מְחוּגָה, Isa. xliv. 13), hammer (מַקֶּבָה), level (קָו), and pencil or red lead (שֶׂרֶד), to draw the outlines of the work to be done.—On the contrary, of coopering, casks, and wooden vessels held together with hoops, there is not a trace.

(1) Comp. the description and figuring of Egyptian waggon-work in Wilkinson, i. p. 343 ff.

2. For the *working of metals*, iron, brass, or copper, silver and gold, three different trades were early developed: that of the *smith* in iron (חָרָשֵׁי בַרְזֶל, Isa. xliv. 12; 2 Chron. xxiv. 12), including the *locksmith* (מַסְגֵּרִים, 2 Kings xxiv. 16); the *coppersmith* (חָרָשֵׁי נְחוֹשֶׁת, 1 Kings vii. 14), and the *gold* and *silversmith* (צֹרְפִים, founders, Judg. xvii. 4). *Iron* was wrought in the most ancient times chiefly into cutting instruments, implements of handicraft and agriculture; and very early it was hardened into steel (פְּלָדָה, Nah. ii. 4). In the Pentateuch we read of axes and other iron instruments (Num. xxxv. 16; Deut. xix. 5, xxvii. 5), while vessels and cooking utensils were of brass. Moreover, the working (לָטַשׁ, hammering) of iron was probably known to the patriarchs, and of high antiquity in Egypt (2). In after times, arms and other things, which formerly were made of brass, such as chains, bolts, armour, were made of iron (comp. Judg. xvi. 21 with Ps. cxlix. 8, cvii. 16; Isa. xlv. 2; Job xx. 24; 1 Macc. vi. 35 with 1 Sam. xvii. 5 f.). Iron-founding was not known to the Israelites.—*Copper* was used for all sorts of vessels, pots, pans, kettles, weapons and armour, helmets, shields, mirrors (Ex. xxxviii. 8), and statues (Dan. v. 4, 23), sometimes wrought, sometimes cast, and then smoothed and polished.—The knowledge of copper-working is not older than of iron, both originating with Tubal Cain (Gen. iv. 22). Only copper ore, being found more frequently solid in large masses, and more easy to work than iron ore, was more widely spread in earlier ages than iron.—The working of *gold* and *silver* into ornaments, rings, and such like, goes back to the highest antiquity. These precious metals were melted, not only to make them fluid for casting, but also to purify them (בָּחַן, צָרַף), or to separate them from the base metals or dross (סִיגִים, Isa. i. 23) mixed with them, especially silver from lead ore, for which purpose an admixture of alkaline salt (בּוֹר) or lead (עֹפֶרֶת, Jer. vi. 29) was used.—Metal-workers used the anvil (פָּעַם), hammer (פַּטִּישׁ, Isa. xli. 7), tongs, chisel, or graving tool (חֶרֶט, Ex. xxxii. 4), bellows (מַפֻּחַ, Jer. vi. 29), melting-pot (כִּיר, Prov. xvii. 3), and for large castings the furnace (כּוּר, Ezek. xxii. 18). They understood soldering (דֶּבֶק, Isa. xli. 7), smoothing or polishing (מָרַט, 1 Kings vii. 45), hammering out into plates (רָקַע, Num. xvii. 4, Eng. ver. xvi. 38, 39) of great

fineness, especially of gold for gilding, which consisted in overlaying (חָפָה, צִפָּה) with thin gold leaf, as well as for cutting into gold thread for embroidery (Ex. xxviii. 6, 15) (3).

(2) Comp. Hengstenberg, *BB. Moses und Ægypten*, p. 19 f.
(3) Comp. the description and figuring of Egyptian gold-working in Wilkinson, iii. p. 221 ff.; and of bellows, p. 338 f.

3. *Stone-working* consisted partly of the hewing and smoothing of stones (גָּוִית) and marble for great buildings, partly of cutting and engraving precious stones for ornaments (Ex. xxxv. 33) (4).—*Pottery* was greatly cultivated. Even in Egypt the descendants of Selah wrought as potters (יֹצְרִים) in workshops near the king (1 Chron. iv. 23); and earthenware kitchen utensils are often mentioned in the Mosaic law. Later there was a pottery at Jerusalem in the valley of the Son of Hinnom (Jer. xix. 1 f.; Matt. xxvii. 7, 10). The work began with the kneading of the clay (חֹמֶר), by treading it with the feet (Isa. xli. 25). Then the mass was shaped with the hand into vessels (Jer. xviii. 3 f.), on a disc turned by the foot, the potter's wheel (אָבְנַיִם); lastly, they were burnt in the furnace (Sir. xxxviii. 29). Probably the Israelites got from Egypt a knowledge of the enamelling of vessels (Prov. xxvi. 23; Sir. xxxviii. 30) (5).—But of the preparation of *glass*, which the Phœnicians are said to have invented by the river Belus, no certain trace can be found among the Israelites, though according to all probability glass is mentioned under the name זְכוֹכִית (Job xxviii. 17), as something very precious after gold; and in Rev. xv. 2, xxi. 18, we read of ὕαλος (6).

(4) Regarding the spread of the art of the jeweller and engraver in ancient Egypt, information is given by Hengstenberg, *BB. Mos. u. Æg.* p. 138 f.
(5) For illustrations of the manufacture of ancient Egyptian pottery, see Wilkinson, iii. p. 164.—The Oriental potter's wheel is described by Abulwalid in Gesen. *Thes.* i. p. 19.—Bähr (*Symbolik*, ii. p. 393) and Sommer (*Bibl. Abhandl.* i. p. 213) maintain, without proof, that the Israelites did not know enamelling, and seek thereby to explain the breaking of earthen vessels which had become unclean, prescribed in Lev. vi. 21, etc. But this prescription may be explained by the fact, that in using enamelled vessels some of the enamel is easily knocked off, and thus an unclean fluid may seek its way into

the earthen matter. Besides, there are earthen figures preserved from Egyptian antiquity which show a coating of enamel.

(6) In Job xxviii. 17 costly glass vessels are probably meant, such as are represented on very ancient Egyptian monuments, beside the glass-making depicted on tombstones from the time of Osiris the first, in Wilkinson, iii. p. 89 f.

4. *Tanning* and *weaving.* The working of skins into leather or morocco for shoes, girdles, covers (Ex. xxvi. 7), and other household articles (Luke xiii. 48 f., 52 f.), was followed probably from ancient times as a business by tanners (*βυρσεύς*, Acts ix. 43), though in the Old Testament no mention of it occurs. In ancient Egypt tanning had come to great perfection (7), and the Israelites might become acquainted with it there.—On the contrary, the *weaving* (אָרַג) of the common, coarser and finer, woollen, linen, cotton, and hair cloths into garments, covers, tent-curtains, etc., was the business of the housewives, as well as the spinning (טָוָה) of flax, wool, and cotton, goat and camel hair (Ex. xxxv. 25 f.; Prov. xxxi. 13, 19; 2 Kings xxiii. 7) (8). But the art of weaving strictly so called (מַעֲשֵׂה חֹשֵׁב, Ex. xxviii. 6) with inwrought flowers and figures was done by men, as well as the weaving of fine byssus, in which the sons of Selah were engaged even in Egypt (1 Chron. iv. 21). Hence the particular manipulations of this business were so generally known, that in figurative language we often read of the weaver's beam (מְנוֹר אֹרְגִים, 1 Sam. xvii. 7; 2 Sam. xxi. 19), the weaver's shuttle (אֶרֶג, Job vii. 6), warp and woof (שְׁתִי and עֵרֶב, Lev. xiii. 48 ff.; מַסֶּכֶת, Judg. xvi. 13), remnants (דַּלָּה, Isa. xxxviii. 12). The loom itself, as it happens, is not mentioned in the Old Testament; it was, however, chiefly the high-shafted one common throughout all antiquity, so that the weaver required to stand before it (9).

(7) Comp. Wilkinson, iii. p. 155 ff.; and Hengstenberg, *BB. Moses und Ægypten*, p. 142.

(8) It has already been mentioned, § 101, that the working of linen and wool, the weaving of them one through another, was forbidden by the law.

(9) Representations of the loom, see in Braun, *De vestit. sacerd.* p. 273; Hartmann, *Die Hebräerin am Putztisch*, i. taf. 1; and of the Egyptian loom with its various constructions for the

different fabrics, in Wilkinson, iii. pp. 134 and 135, ii. p. 60, where, moreover, not only men, but also women are represented weaving, the latter also spinning. Comp. the engraving of the Egyptian spindles, *ibid.* iii. p. 136.—Egyptian weaving was famous in ancient times; comp. Hengstenberg, *BB. Mos. u. Æg.* p. 143 f.

SECOND CHAPTER.

TRADE OF THE ISRAELITES.

§ 125. *Weights.*

As soon as trade in the first stages of its development went beyond the simple exchange of articles and products which one had, for others he wished to have, there must have been fixed weights and measures to determine the value of the things to be exchanged. The origin of these is lost in the obscurity of primitive times, and they were already settled in the patriarchal age throughout the whole of Western Asia (1).—The standard *weight* (מִשְׁקָל) of the Israelites, by which the other weights were determined, was the *shekel* (שֶׁקֶל, *i.e.* weight, from שָׁקַל, to weigh), and the heaviest weight the *talent* (כִּכָּר, *i.e. orbis,* rounding, a round thing). It is clear from Ex. xxxiii. 25 f. that the talent was equal to 3000 shekels, and the shekel to 20 gerahs. Hence it has been concluded, that the Hebrew talent of weight amounted to 3000 shekels of weight, and the mina, 60 of which go to a talent, equalled 50 shekels, and consequently the talent and shekel of weight were identical with the talent and shekel of money. But this assumption is now recognised as erroneous, owing to the discovery of Assyrio-Babylonian standard weights in the ruins of Nineveh. These standard weights have the form of recumbent lions or ducks, frequently with a handle on the back, and commonly with an inscription, in most instances a double inscription, an Aramaic and an Assyrian (the latter in cuneiform characters), the former the designation of the weight by value (*e.g.* "two minas of land"), the other giving the name of the king. Further, from the exact weighing and careful comparison of them with the weights of Western Asia, it

appears: (*a*) that the talent of 3000 shekels was not one of weight but of money; that Ezek. xlv. 12, a text which was held to be corrupt, is decisive for the talent of weight, according to which it consisted of 60 minas, each containing 60 (20 + 25 + 15) shekels, and thus equal to 3600 shekels. (*b*) That the Assyrio-Babylonian talent of weight was divided into a heavy one and a light, the former of which was equal to 60·6 kilogrammes, the latter the half, 30·3 kilog., and accordingly the mina, its sixtieth part, weighed 10·10 and 5·5 grammes, and the shekel its sixtieth part, 16·83 and 8·41.

But this Babylonian weight was not exactly transferred to Palestine, for the Hebrew shekel (the holy shekel) (2) did not weigh fully 16·83, but 16·37 grammes, as is gathered from the statement of Josephus, *Antiq.* xiv. 7. 1, that the Jewish gold mina amounted to 2½ Roman pounds = 818·57 grammes. Besides this account of Josephus and the passage Ezek. xlv. 12 after the Masoretic text, there are no certain statements in the Old Testament regarding the difference between the weight and money shekel, for no definite conclusions can be drawn either from what is said regarding the weight of Goliath's spear (2 Sam. xxi. 16), 300 shekels, or still less from the notice regarding the weight of Absalom's hair (2 Sam. xiv. 26), 200 shekels.

With these weights, which consisted originally of stones (אֲבָנִים, Lev. xix. 36), the metals were weighed in the most ancient times, and according to them so early as the age of Abraham the value of articles of gold and silver was estimated (Gen. xxiv. 22) (3).

(1) The chief writings on the subject are: Aug. Böckh, *Metrolog. Untersuchungen über Gewichte, Münzfüsse und Masse des Alterthums in ihrem Zusammenhange*, Berlin 1838. Here Böckh has proved that the measure and weight systems of Babylon, Egypt, Palestine, Phœnicia, Greece, Sicily, and Italy are historically connected, and that the basis of the metrological systems of the ancient world is to be sought in Babylon. J. Brandis has sought still further to establish these investigations in *Das Münz-, Mass-, und Gewichts-system in Vorderasien bis auf Alexander d. Grossen* (Berl. 1866). The results of these researches as regards the Hebrew weights and measures have been collected by Bertheau in his treatise on weights, coins, and measures of the Hebrews, in his work, *Zur Geschichte der*

Israeliten, Gött. 1842. — Independently of both, O. Thenius sought to fix the amount of the Hebrew measures in his treatise, "Die althebräischen Längen- und Hohlmasse nach alttestl. und rabbin. Angaben berechnet und bestätigt durch Erklärung altägyptischer Mass-stäbe," in the *Theol. Studien und Kritiken*, 1846, H. 1 and 2, pp. 73 ff. and 297 ff.—Of the older writings the most important is, J. Csp. Eisenschmidii *De ponderibus et mensuris vet. Romanorum, Græcorum, Hebræorum*, etc., Argent. ed. 2, 1737. Unimportant are: L. Herzfeld, *Metrologische Voruntersuchungen zu einer Geschichte des ibräischen resp. altjüdischen Handels*, 2 Hefte, Lpz. 1863 and 1865; and Zuckermann, *Das jüdische Mass-system und seine Beziehungen zum griechischen und römischen*, Breslau 1867.

(2) The repeated designation of the skekel as the shekel of the sanctuary, or holy shekel, presupposes that there were other shekels. To this distinction we are also led by comparing 1 Kings x. 17 with 2 Chron. ix. 16, according to which 3 minas =300 shekels, *i.e.* the mina contained 100 shekels, whereas it contained only 50 holy or Mosaic shekels. Thus the common shekel was only the half of the holy one, or equal to the bekah (Ex. xxxviii. 26), as the Rabbins also hold. Comp. Maimonides, *Constitutiones de siclis quas — — illustr.*, Jo. Esgers, L. Bat. 1718, p. 19. This relation, which is analogous to that between the heavy and light Babylonian standard weight, has a twofold confirmation from the fact, that according to Ex. xxx. 13 there existed silver pieces of the weight of 10 gerahs. Also from the fact, that the name bekah occurs only in the Pentateuch, and afterwards disappears, being replaced by the common shekel, its equal in weight; because perhaps silver pieces of 10 gerahs in weight were chiefly in circulation, to which the name *shekel* (שֶׁקֶל), itself expressing no definite weight, was applied, Comp. also Bertheau, *ubi supra*, p. 26 f.—The Mosaic shekel is probably also identical with the "shekel after the king's weight" (2 Sam. xiv. 26), though this passage, according to which Absalom's hair when polled weighed 200 shekels, determines nothing respecting the weight of the shekel. For this account —even reckoning by the common shekel—gives far too high a weight, and as decidedly erroneous can only have come into the text through the mistake of a copyist. Comp. my comm. on 2 Sam. xiv. 26.

(3) On the weight of the shekels coined by Simon the Maccabee, see further particulars in § 127.—The Babylonian talent, by which Darius Hystaspes had his silver tribute paid, amounted, according to Ælian (*Var. histor.* i. 22), to 72 Attic minas of the older or pre-Solonic weight; each mina of this weight equalled 338·88 drachmas (of Solon); and as these

weigh 82·2 Parisian grains, 72 minas weighed 822,000 Parisian grains, like the Hebrew talent (comp. Böckh, p. 47 f.; and Bertheau, p. 36 f.). Of the same weight was the most ancient Greek talent, that of Ægina, which stood to the money weight adopted by Solon in the ratio of 10 : 6 (Böckh, p. 77). Since the Attic talent of Solon weighed 493,200 Par. grains, the talent of Ægina according to the proportion of 6 : 10 must have amounted to 822,000 Par. grains (Bertheau, p. 36).—The Rabbinical determinations of the Hebrew weight lead to the same result. The Rabbins fix the weight of the gerah at 16 barley corns (comp. Carpzov, *Apparat.*, or at 17 according to Levi ben Gerson on Ex. xxx. 13, in Leusden, *Phil. hebr. mixt.* p. 194), a weight which Eisenschmid (*de ponder.* p. 57) and Thenius on 2 Sam. xii. 30 themselves tested and found to harmonize with the extant Jewish shekels.—Now, since, according to Thenius (*Theol. Studien u. Krit.* 1846, p. 112), 345 such barley corns go to a Dresden loth [about half an ounce], the Hebrew talent must have weighed about 90 Dresden pounds, while 822,000 Par. grains make about 93 Dresden pounds.—The relation of Hebrew to more modern weights is shown by the following scheme :—

Hebrew weights.	Paris grains.	New German weights. Grammes.
1 Talent = 3000 shekels .	= 822000	= 43660·3
1 Mina = 50 shekels .	„ 13700	„ 727·67
1 Holy shekel . .	„ 274	„ 14·5534
1 Bekah (shekel weight) .	„ 137	„ 7·2767
1 Gerah	„ 13·7	„ 0·72767

The name גֵּרָה (*gerah*), *corn*, may be derived from the fact that the smallest weight had the form of grains or groats. Comp. Böckh, *ubi supra*, p. 58.

§ 126. *Measures.*

Measures are either those of *length* (מִדּוֹת) or of *capacity* (מִשְׁקָלוֹת). The names of the commonest smaller *lineal measures* are taken from members of the human body, because these were at first used to measure lengths. They are in ascending order: the *fingerbreadth* (אֶצְבַּע, Jer. lii. 21); the *handbreadth* (טֹפַח, *palma*, Ex. xxv. 25), *i.e.* 4 fingerbreadths; the *span* (זֶרֶת, Ex. xxviii. 16), *i.e.* 3 handbreadths; and the *cubit* (אַמָּה), *i.e.* the length of the fore-arm from the elbow to the tip of the middle finger, or 2 spans, 6 handbreadths, and 24 finger-

breadths (1); lastly, the *reed* (קָנֶה, κάλαμος, Ezek. xli. 8), *i.e.* 6 cubits. In addition to these for the measurement of distances are the *pace* (צַעַד, 1 Sam. vi. 13), the *little way* (Luther: *Feldwegs*, כִּבְרַת הָאָרֶץ, Gen. xxxv. 16, xlviii. 7; 2 Kings v. 19), about an hour's walk, or $\frac{3}{4}$ of a German mile [about 4 miles English] (2); the *day's journey* (דֶּרֶךְ יוֹם, Gen. xxx. 36, etc.; מַהֲלַךְ יוֹם, Jonah iii. 4; ὁδὸς ἡμέρας, 1 Macc. v. 24; Luke ii. 44), a distance of from 6 to 12, on the average 7 to 8 hours; and the *Sabbath day's journey* (σαββάτου ὁδός, Acts i. 12), the length which according to the Rabbinical rule, founded on Ex. xvi. 29, the Jews were allowed to go from their houses on the Sabbath, *i.e.* 2000 cubits, according to others 750 Roman paces, or 6 furlongs (3).—The absolute length of these measures cannot be made out with certainty, because, according to 2 Chron. iii. 3, and Ezek. xliii. 13 and xl. 5, various cubits were in use among the Israelites, as among the Egyptians and Babylonians, at different times. According to the most probable result of recent investigations, the Mosaic cubit amounted to 20 inches 5 lines Dresden, or 1 foot 6 inches 6 lines Rhenish measure, or 214·512 lines Paris, while the larger cubit of Ezekiel is reckoned at 234·333 lines Paris (4).

(1) The words אַמָּה and זֶרֶת are still regarded by Böckh, *Metrol. Unterss.* p. 265, and Bertheau, *Zur Geschichte*, p. 51 f., as of Egyptian origin, because in Coptic *mahe* or *mahi* with the prefix *ammahi* denotes the forearm or cubit, and in Egyptian the word *terto* is also found. Only both words can be derived and explained from the Hebrew; comp. Gesen. *Thes. sub verbis;* and Thenius in *d. Theol. Studien u. Krit.* 1846, p. 77; and the Hebrews were acquainted with the cubit measure before they went to Egypt.

(2) The strict meaning of כִּבְרָה is unknown. But the measure corresponds nearly to the Persian *parasang* (as it has been translated in Syr. and Arabs Samar. כברה), which according to Herodotus (ii. 6, v. 53) amounted to 30 stadia, about 4 English miles. Comp. Gesen. *Thes.* p. 658.

(3) More on the day's and Sabbath day's journey in K. v. Raumer's *Palästina*, p. 21 f.

(4) See Rich. Lepsius, *Die bäbylonisch-assyr. Längenmasse nach der Tafel von Senkerch*, mit 2 Tafeln, Berlin 1877 (*Aus. den Abhandl. der kön. Academie*). — In 2 Chron. iii. 3 the measures of the temple spaces, agreeably to 1 Kings vi. 2 ff., are given in cubits, but with the addition: "after the former

measure." This notice supposes a *later* cubit in use in the time of the chronicler which was probably smaller than the *former* or Mosaic one. To this must be added Ezek. xl. 5 and xliii. 13, according to which the cubit by which the measurements of the new temple seen by the prophet in vision are given, amounted to a (common) cubit and a handbreadth, *i.e.* 7 handbreadths of the common cubit. But the cubit assumed by Ezekiel as the common one can hardly be the Mosaic. For this prophet, who lives entirely in the law, would certainly not have used any other measure than the Mosaic, if the common cubit of his time had been equal to the Mosaic. We must therefore suppose that the common cubit, to which Ezekiel adds a handbreadth, was shorter than the Mosaic or legal one, for it frequently happens that the measures used in common life are smaller than the standard measures; that it was only of the length of an average man's arm, which may be referred to by the expression אַמַּת אִישׁ, "according to the cubit of a man," Deut. iii. 11; and that the cubit of Ezekiel was a palm or 4 fingerbreadths longer than this common one, not so much however, but only about 2 fingerbreadths longer than the Mosaic.—These suppositions gain a high degree of probability, if not complete certainty, partly from Rabbinical notices, partly from the analogy of the Egyptian and Babylonian cubits. The Rabbins designate the Mosaic cubit of 6 palms as אמה בינונית, *cubitus mediocris* (Mischna *Kelim* xvii. 9; and Bartenora and Maimon. *ad h. l.*, ed. Surenh. vi. p. 90; comp. Buxtorf, *Hist. arcæ fœd.* c. vii. p. 86), and distinguish from it one of 5 palms and one of 6 palms and a fingerbreadth, or more than 6 palms (comp. Lundius, *Jüd. Heiligthümer*, i. cap. 2, § 13). The cubit of 5 palms may never have existed, but have been inferred by the Rabbins only from Ezek. xl. 5 and xliii. 13; but the name *intermediate cubit* must rest on an ancient tradition, the more, since, on the one hand, it stands in contradiction to the distinction likewise known to the Rabbins into a common and a holy cubit, and yet, on the other hand, receives confirmation from the ancient Egyptian measures which have come down to us. For on these measures, according to the unanimous testimony of all the savants who have examined them closely, there are two cubits represented, a shorter one of 26 and a longer one of 28 inches; but besides these, according to the very plausible exposition of Thenius, *ubi supra*, p. 327 ff., there are marks for a third, *i.e.* for the cubit of 24 inches used in ordinary business. Finally also he finds divisions and markings which render it probable that the measure of 26 inches was the most ancient cubit, which certainly did not originally amount to more than 6 palms or 24 inches, but in course of time had been shortened

for common purposes by 2 inches, so that 26 inches of this cubit in common use, which was divided into 24 inches, went to the old cubit; while the cubit lengthened to 28 inches is the later, so-called king's cubit, which was also in use in Babylonia, where, according to Herodotus, i. 178, the king's cubit was 3 fingerbreadths longer than the common one (*μέτριος πῆχυς*). This long king's cubit, which measured pretty nearly the same in Babylonia and Egypt (comp. Böckh, *Metrol. Unterss.* p. 227), is probably the same measure which Ezekiel designated as "a cubit and a handbreadth."—If, however, the 26 inches on the ancient Egyptian measures formed the oldest standard cubit, its length agrees with the Rabbinical accounts (in Eisenschm. *de ponder.* p. 118), that the Mosaic cubit amounted to 144 barley corns placed breadthways close to one another, while these, according to the experiments made by Thenius, *ubi supra*, p. 109 ff., gave on the average 20·5 inches Dresden, or 214·512 lines Paris. Finally, this length is almost exactly the same as the intermediate Arab cubit, which is also fixed at 144 barley corns, and according to a tolerably certain reckoning in Böckh (*ubi supra*, p. 247) amounts to 213·058 lines Paris. So substantially Thenius, in the above treatise.

Following the reckoning of the Hebrew lineal measures there given, p. 113, according to their equivalent in German and French measures, we get the following relation to the new German system:—

Hebrew measure.	Rhenish. Feet.	in.	lines.	New German measure. Meter.	Ctm.	Mm.
1 Reed (*Kaneh*) .	= 9	3	0·090	= 2	90	7
1 Cubit (*Ammah*) .	„ 1	6	6·015	„ –	48	4·5
1 Span (*Sereth*) .	„ –	9	3·0075	„ –	24	2·25
1 Handbreadth (*Topach*)	„ –	3	1·0025	„ –	8	0·75
1 Fingerbreadth (*Ezba*)	„ –	–	9·2506	„ –	2	0·18

Measures of capacity for things dry differ partly from those for liquids. (*a*) The largest measure for *things dry* is the *homer* (חֹמֶר, Lev. xxvii. 16; Num. xi. 32) or *cor* (כֹּר, *κόρος*, 1 Kings iv. 22; Luke xvi. 7). It contained 2 *letech* (לֶתֶךְ, Hos. iii. 2) or 10 ephahs (אֵיפָה, Ezek. xlv. 11); the ephah contained 3 *seahs* (סְאָה, *σάτον*, 1 Sam. xxv. 18, etc.; Matt. xiii. 33) or 10 *issaron* (עִשָּׂרוֹן, Lev. xiv. 10; Num. xv. 4; in Josephus, *Antiq.* iii. 1. 6, *ἀσσάρων*) (5). Lastly, the seah contained, according to the Rabbins, 6 *kabs* (קַב, 2 Kings vi. 25). —(*b*) For *liquids* the largest measure was the *bath* (בַּת, 1 Kings vii. 26), according to Ezek. xlv. 11, the tenth part of the homer, and so for liquids the same measure as the

ephah was for things dry. The bath contained (according to Josephus, *Antiq.* iii. 8. 3) 6 *hins* (הִין, Ex. xxix. 40, etc.), the hin according to the Rabbins 12 *logs* (לֹג, Lev. xiv. 10; LXX. κοτύλη).—The following table will show the relation of these various measures to one another:—

Homer	1						
Bath and Ephah	10	1					
Seah	30	3	1				
Hin	60	6	2	1			
Issaron	100	10	$3\frac{1}{3}$	$1\frac{2}{3}$	1		
Kab	180	18	6	3	$1\frac{4}{5}$	1	
Log	720	72	24	12	$7\frac{1}{5}$	4	1

The actual cubic content of these measures is still disputed. Josephus puts the bath at 72 ξέσται or *sextarii*, and the hin $=\frac{1}{6}$ of a bath at 2 Attic χόαι, *conchii*, and so the bath equal to the Attic metretes, which contained 12 *choæ*, or 72 Roman *sextarii* (6).—These valuations, indeed, receive no small confirmation from the fact that the older Egyptian *artabe* contained $4\frac{1}{2}$ Roman *modii* or 72 *sextarii*, and was consequently equal to the Hebrew bath and ephah. And the very names ephah and hin indicate an Egyptian origin (7). But these valuations are again rendered doubtful by the fact that they neither correspond to the biblical accounts, according to which the actual content of the particular measures may be pretty nearly determined, nor to the Rabbinical estimates of the biblical measures, while these harmonize much more with the biblical accounts (8).

(5) The עֹמֶר mentioned Ex. xvi. 36 is not a measure, but a bowl, containing the tenth of an ephah.

(6) Joseph. *Antiq.* viii. 2. 9: ὁ δὲ βάδος δύναται χωρῆσαι ξέστας ἑβδομήκοντα δύο; and iii. 8. 3, he says of the hin: μέτρον δ' ἐστὶ τοῦτο ἐπιχώριον δύο χόας Ἀττικοὺς δεχόμενον; and ix. 4: ὁ δὲ Εἶν μέτρον ἀρχαῖον Ἑβραίων· δύναται δὲ δύο χόας Ἀττικοὺς ποιῆσαι. With this agrees ix. 4. 4, where Josephus renders $\frac{1}{4}$ kab (comp. 2 Kings vi. 25) by ξέστης, 72 of which go to the μετρητής, while 18 kabs or 72 quarter kabs make an ephah.—These statements, however, are contradicted by others, *e.g. Antiq.* xx. 9. 2, where Josephus fixes the cor (or homer) at 10 Attic *medimni*, and uses the *medimnus*=96 *sextarii*, interchangeably with the *metretes*=72 *sextarii*; and iii. 6. 6, where he fixes the issaron ($\frac{1}{10}$ ephah) at 7 Attic cotylæ, and uses the κοτύλη interchangeably with the

ξέστης, though even then the valuation does not exactly correspond. Comp. Böckh, pp. 259, 261; Bertheau, p. 71 f.; and Thenius, *ubi supra*, p. 107 f.

(7) Comp. Böckh, p. 242. The word אֵיפָה has no suitable etymology in Hebrew, and probably comes from the Egyptian *ὀφοῦ, οἰφί*, or *οἶφι*, as it is rendered by the LXX. in various places. Comp. Gesen. *Thes.* p. 83. Neither can הִין be satisfactorily explained from the Semitic, but is of Egyptian origin, and has been preserved in the Coptic *eine* and *ine, species, modus, forma*. Comp. Parthey, *Vocabular. Copt. latin.* pp. 27 and 60; and, besides, Dümichen, on old Egyptian measures of capacity, in the *Zeitschr. für ägypt. Sprache*, 1875, p. 91 ff.

(8) Following Josephus, Bertheau, *ubi supra*, p. 72 f., reckons the content of the various measures in the following table, in which he takes the Attic metretes, not with Böckh (p. 278), at 1993·95 cubic inches Paris, but at 1985·77 cubic inches Par., or 739800 grains Paris of rain-water:—

	Size. Par. cubic inches.	Weight (water). Paris grains.
Homer, ...	19857·7	7398000
Ephah, ...	1985·77	739800
Seah, ...	961·92	246600
Hin, ...	330·96	123300
Kab, ...	110·32	41100
Log, ...	27·58	10275

But, according to these measurements, the brazen sea could not possibly contain 2000 baths of water. This has been clearly shown by Thenius, *ubi supra*, p. 90 ff.—To this we have to add the contradiction in the different accounts of Josephus. But apart from this, all reckonings, according to these statements, are rendered wholly uncertain by the fact that Josephus and other authorities, as well as the reckonings which follow them, proceed on the translation of the LXX., in which the *μετρητής* (comp. 2 Chron. iv. 5) has been taken as the full Attic metretes, and so the metretes probably reckoned too high.—Nearer the truth is the estimate of Thenius, following the data of the Rabbins, which make the log = 6 average hen's eggs (comp. Kimchi, *Lex. sub verbo;* Buxtorf, *Lex. hebr. s.v.* קב; Schindler, *Lexic. pentagl. s.v.* איף and לוג; and Lightfoot, *Harmon. evang. ad Joh.* ii. 6, *Opp.* i. p. 412; and Guise on Mischna *Peah* iii. 6, ed. Surenh. i. p. 48), meaning, however, not as much as six egg shells would contain, as many older antiquarians thought, but the space occupied by six eggs, as rightly understood by Val. Schindler, *Lex. pentagl. s.v.* לוג. This author says: "Si in vas aqua plenum sex ova conjiciantur, quantum de aqua effluxit

tanta mensura לֹג log;" and the same is clear from the Mischna *Kelim* xvii. 6, which, literally translated, runs: Quando dixerunt (scil. auctores Mischnici) instar ovi, non magnum nec parvum, sed mediocre intelligunt. R. Jehuda dicit: adducit omnium maximum et minimum *imponitque* aquis et eas dividit, to which Maimon. adds the explanation: si quis aliquod vas impleverit, quousque fieri possit, donec aqua super oras undique effluxerit, idque imposuerit alii vasi vacuo, tum insuper ovum aliquod majus injiciendum erit et prodibit exinde mensura *corporis* ovi absque dubio, et hasce aquas colliget, etc. Following this course, Thenius, p. 97 ff., found by repeated experiments the content of six average hen's eggs to be equal to 21·27 cubic inches Dresden, and the weight of water corresponding to this content to be 19·125 loth Dresden; and accordingly he thus fixes the amount of the various measures in a table, in which the log=6 eggs, is estimated at 21·25 cubic inches:—

	Kabs.		Eggs.		Par.		Rhenish cubic inches.
1 Homer (Kor),	180	or	4320	=	10143·9	or	11246·7
1 Ephah (Bath),	18	„	432	„	1014·39	„	1124·67
1 Seah, . . .	6	„	144	„	338·13	„	374·89
1 Hin, ...	3	„	72	„	169·06	„	187·445
1 Omer (Issaron),	1⅘	„	43⅕	„	112·467	„	101·439
1 Kab, ...			24	„	56·155	„	62·481
1 Log, ...			6	„	14·088	„	15·62
1 Egg, ...				„	2·348	„	2·603

Accordingly the ratio to the new German measure stands thus:—

	Cubic metre.		Litre (Kanne).		Hectolitre (Fass).		Chopin (German).
1 Homer, . .	= 0·201215	=	201·215	=	2	and	2·43
1 Ephah, . .	„ 0·0201215	„	20·1215	„	—	„	40·243
1 Seah, . .	„ 0·0067071	„	6·7071	„	—	„	13·4142
1 Hin, . . .	„ 0·0033535	„	3·3535	„	—	„	6·7070
1 Omer, . .	„ 0·0025151	„	2·5151	„	—	„	5·0303
1 Kab, . .	„ 0·0011178	„	1·1178	„	—	„	2·0589
1 Log, . . .	„ 0·0002794	„	0·2794	„	—	„	0·5588

§ 127. *Money.*

Besides fixed weights and measures, as soon as trade rises above the simple exchange of products, a fixed medium becomes necessary by which the relative worth of the articles to be exchanged may be reckoned. For this purpose

silver was used in Western Asia from the most ancient times in unwrought pieces, the worth of which was determined by their weight. Silver passed thus in the time of the patriarchs, who used it not only to buy corn from Egypt (Gen. xlii. 25 ff., xliii. 15 ff., xliv. 1 ff.), but land from the Canaanites (xxiii. 15 ff.). The silver, however, which Abraham weighed to Ephron the Hittite for the field which he bought for a burying-place, was in the form of "shekels current with the merchant" (שֶׁקֶל עֹבֵר לַסֹּחֵר, Gen. xxiii. 16), *i.e.* silver pieces of the weight of a shekel, which for trading purposes were provided with a mark (stamp) showing their weight (1). These silver pieces or lumps of metal, with their weight designated on them, are the *most ancient money* of which we have any information. That they circulated singly is clear from the fact that the worth of the article bought was given in the *number* of them. It is in silver shekels that the payments of the Israelites to the sanctuary (Ex. xxx. 13 ff.), compensations and fines (Ex. xxi. 22; Lev. v. 15; Deut. xxii. 19, 29), and the priestly valuations (Lev. xxvii. 3 ff., 25; Num. xxviii. 16), are fixed by the Mosaic law, and all exchange and sales reckoned. Since, however, in Ex. xxx. 13 there is imposed on every Israelite on the muster roll half a shekel of silver as a tax to the sanctuary, and in this connection it is remarked: "A shekel is 20 gerahs;" since, further, in Ex. xxxviii. 26 the half shekel is called bekah, silver pieces of the weight of a bekah (Gen. xxiv. 22) must have existed, and perhaps still smaller, at least quarter shekels, which are mentioned 1 Sam. ix. 8.—But very large sums were reckoned by the largest weight of the Israelites, the talent, כִּכָּר, a *round thing*, a name which indicates that there were lumps of silver in the form of thick round discs or rings (according to Egyptian engravings), which weighed 3000 shekels. Besides, in the exilic writings there is still mention of the mina = 50 shekels (1 Kings x. 17; Ezra ii. 69, vii. 71).—In respect of *money shekels* the gold is to be distinguished from the silver shekel. While the gold shekel and the shekel of weight were exactly equivalent, the relative value of the two precious metals to one another was taken into account in the case of the silver shekel used as a means of exchange. This relative value was in the proportion of $13\frac{1}{2}$ to 1. But there was not given to the silver shekel

$13\frac{1}{2}$ times the weight of the gold shekel, which would have been 224·4 grammes, thus weighing nearly half a pound, and being much too heavy to be a medium of payment. Therefore to get a handy silver medium, the entire piece of 224·4 grammes was divided by 15 = 14·96 grammes, whereby a silver piece of 14·96 grammes was formed, coming pretty near the gold shekel of 16·83 grammes in weight. In this division the silver shekel weighing 14·55 grammes came into use among the Israelites. According to the present exchange, the worth of a Hebrew gold shekel would thus be about 45 marks (shillings), that of the Hebrew silver shekel about $2\frac{1}{2}$ marks, which shows the ratio of 1 to 20 as in the case of Persian darics, 20 silver shekels corresponding to the gold daric, as at the present day 20 shillings go to the English sovereign, 20 francs to the French gold piece, 20 marks to the German double crown.

The introduction of silver pieces, with their value stamped on them, is undoubtedly to be ascribed to the Phœnicians; and this was the money used by the Israelites down to the Babylonian exile (2). In their exile they became acquainted with the Babylonian and Persian money, so that in post-exilic writings sums are reckoned in *darics* (Ezra ii. 69, viii. 67; Neh. vii. 70 ff.; comp. 1 Chron. xxix. 7) (3). Later they had Græco-Syrian money, till the leader Simon, having achieved the independence of Judea in the year 143 B.C., received from King Antiochus VII., Sidetes, in the fourth year of Israel's emancipation, the right of minting his own coins (1 Macc. xv. 6). Thereafter not only the Maccabean princes, but also the Herodians, and last of all even Bar-Cochba, have their own coinage. These Maccabean whole and half shekels are stamped with the weight of the Mosaic shekel, and have come down to us in several genuine pieces (4). Side by side with them, however, Greek money remained in circulation, so that in the apocryphal books of the Old Testament, as well as in the New Testament, *drachmas*, *didrachmas*, and *staters* are mentioned (2 Macc. iv. 19, x. 20, xii. 43; Luke xv. 8 f.; Matt. xvii. 27) (5). Besides these, Roman money was current under the Roman dominion, of which *denarii* (δηνάριον, Matt. xviii. 28, etc.), *asses* (ἀσσάριον of copper, Matt. x. 29), and *quadrantes*

(κοδράντης, *quadrans*, Matt. v. 26 ; Mark xii. 42) are referred to (6).

(1) The *kesitah* (קְשִׂיטָה, Gen. xxxiii. 19) is a weighed piece of metal, and, to judge from Gen. xxiii. 16 and Job xlii. 11, of considerably higher value than the shekel (comp. Delitzsch on Gen. xxxiii. 19), not an unstamped piece of silver of the value of a lamb (Cel. Cavedoni, *Bibl. Numismatik*, i. p. 11), because the LXX., Chald., and others have translated the word by *lamb*. See the various meanings in Gesen. *Thes. s. verbo.*

(2) Comp. Movers, *Phönizier*, ii. 3, pp. 16, 27 ff., and 56, where the words of the Greek rhetorician Alcidamas are given, to the effect that "the Phœnicians, the most intelligent and clever of the barbarians, invented coins; for they had a metal measure divided into proportionate parts, and distinct marks stamped on them according to their different weights (καὶ πρῶτοι χαρακτῆρα ἔβαλον εἰς τὸν σταθμὸν τὸ πλέον καὶ τὸ ἔλαττον)." Comp. Joh. Lydii *De mens.* i. 9, p. 5. — With this agrees the statement of the Talmudists, that all silver money mentioned in the law is *Tyrian* money; comp. Hottinger, *Cippi Hebr.* p. 131.— From the Phœnicians the stamping of coins passed over to the Greeks, among whom Phido king of Argos, between 780 and 740 B.C., had silver money coined at Ægina according to the Phœnician standard, not, however, as the first of the Hellenes who did so, though this is the view of Böckh, p. 76, and Bertheau, p. 36. Comp. to the contrary, A. V. Werlhof, *Vorw. zu* Cel. Cavedoni, *Bibl. Numismatik*, Th. 2, p. ix. The statement of Herodotus, i. 94, that the Lydians first issued gold and silver coins, can only be correct to this extent, that here first the sovereign power stamped the pieces of metal with their value, while this may have been formerly done by merchants. Comp. Ewald in *d. Gött. gel. Anzeig.* 1855, p. 1391. Hence, in more ancient times in making payments, the money was weighed to test the correctness of the weight, as is still common in the case of gold coins, especially in the East.

On the coins of the Bible, comp. besides the writings mentioned, vol. i. p. 8, note 6, Celest. Cavedoni, *Biblische Numismatik oder Erklärung der in der heil. Schrift erwähnten alten Münzen ; aus dem Italienischen übers.* von A. v. Werlhof, Hannov. 1855, u. ein 2 Theil, *Anhänge u. Nachträge enthaltend*, 1856; M. A. Levy, *Geschichte der jüdischen Münzen*, Bresl. 1862.

(3) The origin of the *darics*, described by the ancients as Περσικὸν νόμισμα (דַּרְכְּמוֹן, also אַדַּרְכֹּן), is disputed; and the traditional view that they were named from Darius Hystaspes is still very doubtful, for Suidas, etc., derive them from an older Darius;

comp. Hengstenberg, *Beitr.* i. p. 51.—Ewald (*Gött. gel. Anz. ubi supra*, p. 1392 ff.) combines the name דרכמן with δραχμή, and holds it to have been originally *Lydian;* whence the name came, he thinks, to the Greeks, as well as to the Persians, and the Persian coinage to have been an imitation of the Lydian (?). Persian darics were minted in gold and silver, though in the Old Testament only gold darics are mentioned. A few specimens of both metals, oval or round, have been preserved. On the obverse they have a likeness of the king—a bearded (or beardless) man, with the *tiara cristata* on his head, and in his hand a spear or bow,—the reverse side is dimly stamped. Gold darics, at their normal weight of 8·40 grammes, have the value in metal of 6½ thalers, according to the rate of that day, or of 7 thalers 17 sgr. according to the present rate. Silver darics, according to Böckh (*Metrol. Unterss.* p. 49), weighed fully 274 grains Par., and so were equal to the shekel of Simon. Comp. Brandis, *Munz-, Mass- v. Gewichtssyst.* p. 244 ff.; Cavedoni, *ubi supra*, i. p. 84 ff.; and Schrader in Riehm's *Hdwb.* i. p. 257 f., with illustrations.

(4) Since the learned Spaniard Fr. P. Bayer successfully maintained the genuineness of the Maccabean coins against Ol. Gerh. Tychsen, the shekels which are found in European cabinets, of silver (whole, half, and quarter) and brass, with the inscription in ancient Hebrew letters, שקל ישראל, and the designation of the years, from the first to the fourth, of the redemption or liberation of Israel, or the name שמעון or ש' נשיא ישראל, have been regarded as coins which the Prince Simon issued in the first years of his rule, even before Antiochus granted him the privilege of coining. See further particulars on the subject in the extracts of Eckhel, *Doctr. numor. vett.* P. i. t. iii. p. 465 ff., and Cavedoni, *ubi supra*, i. p. 18 ff. On the other side, however, De Saulcy, *Recherches sur la numismatique jud.* p. 93 ff., has sought to show that none of our extant coins belong to the high priest Simon, and has defended this view against Levy and Madden successfully in the *Revue Numismatique*, 1864, p. 373 ff. Ewald also has declared for this view in the *Gött. gel. Anz.* 1855, St. 65, p. 641 ff., and has presented in his treatise, "Ueber das Zeitalter der ächten Münzen althebräischer Schrift," in the reports of the *Univ. u. königl. Gesellsch. der Wissensch. zu Göttingen*, 1855, No. 8, p. 109 ff., the results of more recent researches on this subject, and sought to show that of the coins with old Hebrew inscriptions which are known up to the present time four essentially different kinds are to be distinguished:—

1. *Asmonæan coins, i.e.* coins of the princes who first established a strictly Jewish coinage in Jerusalem, the Asmonæan. These princes constantly designate themselves by their own

names as sovereigns of the mint. On the front square, surrounded with a wreath of olive, is the name of the man and his dignity (the latter as הכהן הגדול, to which is added חבר היהודים, *i.e.* חֹבֵר, "Commander of the Jews," as in 1 Macc. xiii. 42); on the reverse side there appears, within a wreath of pearls, a double cornucopia with a pomegranate in the middle. The language and writing are old Hebrew; no date is found on any of these Asmonæan coins. 2. The coins of the last Asmonæan prince, who, as we learn from them, was originally called Mattathias, but hitherto has been known only under the Greek name Antigonus. These Ewald designates *Antigonus coins*, because they are distinguished from the original Asmonæan kind in several respects. They have on the one side the Greek inscription, ΒΑΣΙΛΕΩΣ ΑΝΤΙΓΟΝΟΥ, partly in the square, surrounded by the olive wreath, partly outside of it; but on the reverse, round the edge, the genuine old Asmonæan designation in ancient Hebrew characters, avoiding the name "king." 3. The *Siklos coins*, so called because most of them are described as whole (שקל), half (חצי), or quarter (רביע) shekels, whereas the name shekels does not occur on any other kind of these coins. They do not bear the name of any prince, king, or high priest, but in its place, what is wanting in the two former kinds, a date, according to the year of the redemption of Zion (לגאלת ציון), or the emancipation of Zion (לחרות ציון), which extends only to the fourth year. Many have the inscription round them, ירושלים הקדישה, "the holy Jerusalem." As emblems there appear the sacrificial cup, a triple blossom, a tree, a vine leaf, etc. Of this kind, silver coins are also found, whereas of the two others hitherto only brass ones have been discovered. These silver shekels vary in weight from 256 to 272 grains Par.; that of the half shekel amounts to 132¾ grains Par., according as they have lost more or less through waste, so that the normal weight may be taken at 274 grains Par., and their value, since the Prussian thaler contains rather more than 314 grains Par., amounts to 26 sgr., and may be estimated at 3 marks German coinage [3 shillings sterling]. Of copper or bronze coins there have been preserved a large one, double the weight of a silver shekel, and a smaller one having the designation of value חצי, half, or רביע, quarter, which Eckhel, Bayer, etc., took for halves or quarters of a shekel, but which should probably be taken as whole, half, or quarter gerahs. In this case, as in Egypt, Greece, and Rome, the ratio of copper to silver must have been as one to fifty; comp. Cavedoni, i. p. 47 ff., ii. 11 ff. The origin of these Siklos coins is still obscure. De Saulcy would put them in the time of the conquest of Jerusalem by Alexander, and under the high priest Jaddua,—extremely improbable;

Ewald puts them "in the time of the two great Roman wars, which for a short time brought back the longed-for ancient freedom quite in the sense of the theocratic sovereignty." 4. The fourth kind are the *Simon coins*, with the inscription, שמעון, or שמעון נשיא ישראל, "Simon, prince of Israel." This Simon is he who led the last great insurrection under Hadrian, and bears the surname Bar-Cochba. "These coins closely follow the pattern of the former kind, but are distinguished by certain finer marks. So they add to לגאלת or לחרות, not ציון, but שראל, also ירושלם, which, however, is constantly written without י in the last syllable, otherwise than on the coins of the former kind. The years reckoned on them reach only to the second, which agrees with the history of that insurrection. The figures correspond very markedly with those of the third kind, except that here some new ones—especially the representation of a temple doorway—appear." More on the coins of the time of the Roman wars in Schürer, *Hist. of the Jewish People in the Time of Jesus Christ*, i. p. 12 ff.

The coins of Herod the Great and his successors, Archelaus, Herod Agrippa, and Agrippa II., that have come down to us are all of bronze, none of silver or gold, as the Roman senate did not allow these dependent princes to mint silver and gold. These coins have Greek inscriptions. More particulars regarding them, see in Cavedoni, i. p. 52 ff., ii. 25 ff.—There are also small copper coins still extant with the names of the Roman emperors, from Augustus to Nero, which were probably coined in Jerusalem, as, according to Jewish custom, they do not bear any human or animal likeness, but only the palm, the single or triple ear, a cluster of grapes, and similar Jewish emblems. In weight they agree with the *Semisses* and *Quadrantes* of those Roman emperors. Comp. Cavedoni, i. p. 64 ff., ii. p. 39 ff.

(5) Of the Greek coins which circulated in Judea and Syria, the *stater* (στατήρ) was minted in gold and silver; that mentioned Matt. xvii. 27 is the Attic silver stater, which contained 4 Attic drachmas, hence also called τετράδραχμον, and reckoned by Josephus, *Antt.* iii. 8. 2, as equal to the Hebrew (Mosaic) shekel. A beautiful Phœnician tetradrachma of the Syrian king Antiochus VII., a contemporary of Simon the Maccabee, weighs, according to Lenormant's assertion (*Revue numism.* t. x. p. 181), 14·20 grammes; and a shekel coin of the year 1 corresponds exactly to this weight (comp. Cavedoni, i. p. 42).—The drachma (δραχμή) was the hundredth part of a mina and the six-thousandth part of a talent, but varied greatly in value in the different systems of coinage which were successively introduced. In the oldest system, the Æginetan, which faithfully followed the Semitic, the drachma = half a Mosaic shekel (or

bekah). Much smaller in value was the Attic drachma, many of the pieces preserved from antiquity, when tested, being found to weigh only 82 grs. Par., while some are so low as 77 or 76, according to which the drachma did not amount to much more than a quarter of the Mosaic shekel, and later became still less.

(6) With the Roman dominion the *denarius* took the place of the drachma, a silver coin having at first a normal weight of 1/72 pounds = 4·55 (exactly 4·548) grammes. But even during the first Punic war it decreased, and in 217 B.C. weighed 1/84 pounds = 3·90 grammes, at which it remained till the time of the Emperor Nero. The denarius, which at first was divided into 10, afterwards from 217 B.C. into 16 asses, had at the weight of 4·548 grs. the worth in silver of 82 pfennings; after 217, however, with a weight of 3·90 grs., a value in silver of 66½ pfs., or a coin worth 70 pfs.—In this last form it was officially and legally made equal in value to the Attic drachma or that of Alexander; and so it occurs in the New Testament, Matt. xviii. 28, xx. 2, 9, etc. The denarii had under the Republic the image of the goddess Roma with her helmet, on the reverse; from the time of Cæsar, the image of the emperor of the time (Matt. xxii. 29). Comp. Hertzberg, "Denar," in Riehm's *Hdwb.* i. 269 f.—The other Roman coins mentioned in the New Testament were of copper, viz. (1) the *ass*, at first a tenth, then a sixteenth of the denarius, about 5 pounds, with the image of the emperor; (2) the *quadrans* = ¼ ass. As the smallest coin the λεπτόν is named (Mark xii. 42; Luke xii. 59), taken by many for half a quadrans, but probably only another name for it. Comp. Cavedoni, i. pp. 78 ff. and 136.

§ 128. *Commerce by Land and Sea.*

The spirit of commerce and speculation was incompatible with the destination of Israel to be the bearer of the true knowledge of God and of salvation for all nations, and therefore the land of Canaan, so far as the Israelites occupied it, was not physically adapted for a nation making commerce its chief business (comp. § 13). And yet the people of God were to lack no earthly good, but "to suck the abundance of the seas and the hidden treasures of the sand" (Deut. xxxiii. 18). The source of Israel's earthly riches was to be the great fertility of its soil and the divine blessing on the work of its hand (Deut. xxviii. 11 f., xv. 6), and with the excess of the products of its soil and industry it was to pur-

chase the goods of other lands, which it lacked. For this exchange the trading peoples on its borders gave full opportunity. The Arabs (Ishmaelites, Midianites, Sabeans) in the East and the Phœnicians (Sidonians and Tyrians) in the West, who from high antiquity were the merchants of the world, took from the Israelites the products of their land and cattle, and brought them in exchange the goods and treasures of foreign countries, so that they enjoyed the fruits of commerce without pursuing it themselves. With all this, however, as the inhabitants of a land which had the coast of the Mediterranean for its western boundary, and was traversed on both sides of the Jordan by the great highways which went from the Euphrates to Egypt and to Southern Arabia, they were constantly tempted to take an active part in commerce, and to reap its rich gains. This temptation to Israel was weakened by two causes. There was the Mosaic prohibition standing in the way of all commercial speculations, which forbade the Israelite to take interest or usury from his brethren, *i.e.* countrymen (Deut. xxiii. 19 f.; comp. Lev. xxv. 36 f.). There was, further, the divine provision, which was brought about through Israel's own guilt, that they never fully possessed the land of Canaan which had been promised and allotted to them for inheritance. The coast regions most favourable for the development of shipping remained in the hands of the Canaanites (Josh. xiii. 2–6; Judg. i. 19, 27 f., 31–33). The northern part of the sea-coast, from the port of Dor as far as Sidon, was, indeed, allotted to the tribe of Asher (1), but with the seaports of Accho and Tyre it remained in possession of the Canaanites or Phœnicians. Not even did David dispute it with them, though he fully subjugated the Canaanites dwelling in the rest of the land, and extended the boundaries of his kingdom on the north-east to the Euphrates and on the south to the head of the Red Sea (2 Sam. viii. and x.; comp. 1 Kings v. 1). Not only did David stand in a friendly relation to King Hiram of Tyre (2 Sam. v. 11), but Solomon also was satisfied with renewing the treaty made by his father David with Hiram (1 Kings v. 15 ff.), and so extending it that he was admitted to an active share in his profitable naval commerce.

With the help of the Tyrians, Solomon built a fleet for

trading in the Edomite harbour of Ezion-geber on the Ælanitic gulf. This fleet yearly brought gold and precious stones, silver, and other rarities from Ophir (1 Kings ix. 26, x. 11 and 22; 2 Chron. viii. 17 f., ix. 10, 21) (2). Besides this, Solomon, by means of crown merchants (סֹחֲרֵי הַמֶּלֶךְ), drove an important and profitable trade in horses, which were got from Egypt and sold in Syria (1 Kings x. 28 ff.; 2 Chron. i. 16 f.). —The danger springing from this source for the theocratic development of Israel of secularization and complicity with the character and ways of heathendom, a danger which even Solomon could not altogether withstand, was averted from Israel immediately after the death of this king. By the falling away of the ten tribes from the dynasty of David, the kingdom of Judah lost its immediate connection with the Tyrians, and probably also the possibility of continuing to trade on the Red Sea (3). This latter may have taken place even under Solomon, through the conspiracy which broke out in Edom (1 Kings xi. 14 ff.). If not, it certainly did later, with the complete revolt of the Edomites from Judah under Joram (2 Kings viii. 20). Then, as the result of the division of the kingdom and the wars that followed between the two hostile portions, the power of the Israelitish nation was broken. Neither kingdom was able to continue the part taken in Phœnician commerce by Solomon; and both were again limited to exchanging the products of their lands and cattle and other occupations with the Phœnicians and Arab traders, for those foreign products of nature and art which had become necessary to them.

This exchange of their own products for those of other lands seems to have been always considerable (4). The Israelites supplied the trading nations, and chiefly the Phœnicians, with their entire large provision of grain (Acts xii. 20), especially wheat and barley (5). Besides these, they furnished many other articles, such as olive oil, which because of its excellent quality was exported to Syria, Arabia, Egypt, and yet more distant regions; wine, honey, especially date honey, and grape syrup, and even fine confectionaries prepared by Israelitish women (Ezek. xxvii. 17). Other articles were wool, cotton, and flax, mostly spun and woven into fine cloth (Prov. xxxi. 24), various costly resins, which were used partly for

incense and ointments, partly for medicinal and other purposes, as storax, laudanum, balm of Gilead (comp. § 11, note 7); also asphalte from the Dead Sea, a substance indispensably necessary to the Egyptians in embalming, which was also used to pitch ships, and was even sent to Greece and Italy for medicinal purposes (6); and finally, the highly prized dates from the palm groves of Jericho, and oars of oak from Bashan (Ezek. xxvii. 6). Many of these products were also brought by the caravans passing through Palestine to Egypt and Arabia, and sold in those lands (comp. Gen. xxxvii. 25) (7). —In exchange for them the Israelites received gold and silver, brass and iron (articles of copper and wrought iron), tin and lead, brought by the Phœnicians, partly from Tarshish, partly from the lands of the Caucasus; costly woods (cedars and cypresses) from the Lebanon, sandal wood and ebony, ivory, precious stones, cinnamon, cassia, incense, and other spices, parti-coloured stuffs, Babylonian garments and other articles of luxury, partly from the Arabs (Sabeans, Isa. lx. 6), partly through the Ophir trade.

This considerable commerce helped to raise the Israelites to that prosperity and wealth to which they attained especially during their longer intervals of peace. For they were able not only to turn to profitable account the products of their land and industry, but they had also the gain which accrued to them from the merchandise passing through their land, and from the trade carried on in it by the Phœnicians, in exchange for the protection and help they gave *in transitu* by keeping up the highways. Many Israelites may also have taken an active part to some extent in this trading. They may have undertaken the buying up of the products of the land, the transport of them to the large emporiums on asses, mules, and camels (comp. Isa. xxx. 6), and perhaps they may also have acted as middlemen between the so-called retail trade and the foreign products (Amos viii. 4, 6). But these business operations seem for the most part to have been in the hands of the Phœnicians, or of those Canaanites who remained in the land, especially in its northern parts, and who were made tributary to the Israelites. These traversed the land with their wares, set up depots in the cities of Israel, visited the Israelitish markets, and enjoyed tolerance and protection in their business

at fixed rates. From Neh. xiii. 16 we learn that Tyrians carried on their business in Jerusalem, to which they brought salted sea-fish, even on the Sabbath, so that Nehemiah closed the gates of Jerusalem, to restore the Sabbath rest (8).

(1) Comp. Josh. xix. 25–31, and my commentary on the passage.

(2) The site of Ophir is still matter of dispute; see the various views in C. Ritter, *Die Erdkunde*, xiv. pp. 348–451; and in shorter compass in Pressel, "Ophir," in *PRE.* x. p. 654 ff.—Of the three regions which claim to be considered: South Arabia, the east coast of Africa, and the East Indies, the Alexandrian translators of the Old Testament thought of the second, for they render the Arabian Ophir (Gen. x. 29) by Ὠφείρ; on the other hand, they constantly express the *Ophir* of Solomon by Σωφειρά or Σουφείρ, not only in the Book of Kings, but also 1 Chron. xxix. 4; Isa. xiii. 12; Job xxii. 24, xxviii. 16; Sir. vii. 18; Tob. xiii. 17, because at that time the South African *Sofala* was known through the Egyptian shipping trade as a famous gold country. This view, for which Quatremère in 1845, and Movers, *Die Phönizier*, ii. 3, p. 58 ff., declared, has very recently found a champion in the traveller Karl Mauch. He found extensive ruins, with temples, obelisks, pyramids, and in their neighbourhood alluvial gold, at the place called *Zimbabye* of the *Zimbave*, westward from the port of Sofala, about 41 German miles [about 190 English miles] in a straight line; and because these ruins are not due either to the Portuguese or to the Arabs, but to a more ancient time, he thought he had found in them remains of the Ophir of Solomon; comp. Westermann, *Monatsh.* March 1872, p. 670; Petermann, *Geogr. Mittheil.* 1872, iv. p. 121 ff.; and *Ausland*, 1872, Nr. 72, p. 239 f. Only hitherto no satisfactory proofs have been given in support of this view.

Much more widely spread is the view, that Ophir is to be sought in the Indies. The opinion, indeed, given by Lassen, *Indische Alterthumsk.* i. p. 537 ff., ii. 552 ff., and which obtained a wide circulation through the assent of C. Ritter, that *Ophir* is to be combined or identified with *Abhira*, the name of a pastoral people dwelling between the mouth of the Indus and Gulf of Cambay, is now given up as unsupported. On the contrary, Thenius thinks, *Comm. zu d. BB. der Kön.* 2 Aufl. 1873, p. 163 f., that Ophir points to a portion of India in the wider sense, where it is still to be found. "This name has been borne from ancient times by a mountain situated on the west coast of *Sumatra*, more than 13,000 feet high, at the foot of which there are a port and stream called *Tiku* (תִּכּוּים), while not far from it at *Padang* lies the *ape mountain*. The gold

deposits of Sumatra are famous from ancient times, and gold-washing is carried on at the present day by the side of the streams coming from the mountains, bringing with them sand rich in gold (see *Ausl.* 1853, Nr. 27, p. 630*b*). — And besides gold, there are still brought from the island named, according to the notices of geographical handbooks, *sandal-wood* and *teak*, *ivory* and *ebony*." On the contrary, Crawfurd, a learned author, well acquainted with India, in his *Descriptive Dictionary of the Indian Islands*, has subjected all the hypotheses relating to the Ophir question to a very searching examination, and proved that there is not a shadow of possibility for placing Ophir in any part of the Indies whatever (according to a communication in *Ausland*, 1872, p. 240).—Otherwise Karl E. v. Baer in the 3rd part of his *Reden gehalten in wissenschaftl. Versammlungen u. kleine Aufsätze verschiedenen Inhalts*, under the special title: "Geographische Fragen mit Hülfe der Naturwissenschaften beantwortet," St. Petersb. 1873. Here in his treatise, "Wo ist das Salomon. Ophir zu suchen?" he develops the following view, pp. 112–385. Not in Arabia or Africa (p. 234 ff.) is Ophir to be sought, but only in the Indies; not, however, with Lassen and Ritter, near the mouth of the Indus (p. 252), but on the peninsula of Malacca (p. 340); because of the articles which the ships of Ophir brought with them, ivory, precious stones, and apes are no doubt to be found in Africa as well as in the Indies, but peacocks and almug (sandal-wood) only in India; and, besides, the names for apes, peacocks, and sandal-wood seem to be of Indian origin, the two latter, indeed, not Sanscrit, but Tamul (pp. 254–272). The large quantity of the gold brought from Ophir points, he thinks, to a region where it was not got by barter, but from deposits of it (pp. 171, 255). Now gold is found in all the streams and mountain debris of the peninsula of Malacca, and any strange people had the opportunity of gathering it there, because at that period it was inhabited by uncivilised peoples, and almost cut off from intercourse with the rest of the world (p. 349 ff.). On the voyage thither, the Ophir traders no doubt came to Ceylon and Malabar, whence they probably brought silver, precious stones, peacocks, and apes; for sandal-wood grows in Malacca and on the coast of Malabar (pp. 334, 355). Then as to the difficulty which the great remoteness of Malacca might create, v. Baer seeks to set it aside by an instructive collection of distant voyages made by the Phœnicians, as he has collected with remarkable comprehensiveness all particulars which go to establish and illustrate this view in the treatise referred to and in the appendix to it in *Ausland*, 1874, Nr. 35, p. 685 ff. But we cannot regard it as probable, still less as established, for none of the arguments adduced is of decisive

weight, and the geographical idea which the Old Testament gives of Ophir points not to India, but to South Arabia.

That *Ophir* in Gen. x. 29 is a people or race in Arabia, admits of no doubt. And there are no sufficient reasons for holding the Ophir of Solomon to be a different one. The chief article brought from Ophir was gold. Now Arabia was famous in antiquity, according to the testimony of the Old Testament, and of the Greek and Roman classics, as a gold country. From Sheba comes gold, with precious stones and spices (Isa. lx. 6; Ezek. xxvii. 22; 1 Kings x. 10); and Diodor. Sic. (ii. 50), Strabo (xvi. 778 f.), and Pliny (*Hist. nat.* vi. 150, 161) attest the abundance of gold found in South Arabia. In Omân, according to Niebuhr, Wellsted, and Palgrave (see the proofs under Ophir in Schenkel's *Bibell.* iv. p. 338), gold and silver are still to be found; and from Halévy we learn that gold-washings are still prosecuted in *Çirwâh* in Upper Haulan (comp. A. Sprenger, *Die alte Geographie Arabiens*, p. 55 f.). Strabo, too (xvi. 784), knows of silver in the land of the Nabatæans. If, now, the other articles which the Ophir ships brought came originally themselves and their names from India, it does not immediately follow that the seamen of Solomon and Hiram brought them thence. Since an active commerce prevailed from very ancient times between South Arabia and the East Indies, they might buy them in Arabia. Besides, the name *kophim* for apes does not necessarily point to India; for not only does *kapi* in Sanscrit and Malabar denote ape, but in Greek also κῆπος and κῆβος is a kind of long-tailed ape, the native country of which was Ethiopia (see my comm. on 1 Kings ix. 26–28). In the case of the other things brought, according to 1 Kings x. 12 and 22, from Ophir, the explanation is still doubtful. It is not made out whether *almug* (אַלְמֻגִּים or אַלְגֻּמִּים, 2 Chron. ii. 7) denotes the genuine sandal-wood (*Pterocarp. Santal.*) of a blood-red colour with black veins, or the so-called white and yellow sandal-wood (*Cæsalpinia Sappan. L.*), which also grows in Arabia; and the derivation of the Hebrew word from the Sanscrit *valgu*, i.e. *beautiful*, or the Sanscrit *mocha, mochâta*, sandal-wood, with the Arabic article *al*, is doubtful. Moreover, in the case of תֻּכִּיִּים, the derivation from the Malabar and Tamul *togai, toghai*, peacock, is very uncertain; for not *togai*, but *mayil*, Sanscrit *mayura*, is the most usual word in Tamul for peacock. Finally, in case of שֶׁנְהַבִּים, *dens elephantorum, ebur*, the word הַבִּים has never yet been satisfactorily explained (see my comm. *ubi supra*); and if the latest attempt at explanation, that of Schrader (in *Ztschr. d. DMG.* xxvii. 709), that הַבִּים is formed by doubling the ב of the original הלב, *i.e.*

hal-ab = Assyr. *al-ab*, elephant, prove correct, the Hebrews must have received their הב, הַבִּים directly from the Assyrians.—Such being the state of matters, we abide by the view which seeks Ophir in Southern Arabia, on the coast of Omân, for which in the most recent times not only Hitzig (*Ophir im Bibellex.* iv. p. 366 ff.), but also A. Sprenger, *Die alte Geographie Arabiens als Grundlage der Entwicklungsgeschichte des Semitismus*, Bern. 1875 (*Excurs. über Ophir*, p. 49 ff.), has declared.

(3) This is evident, not only from the absence of any notice regarding the continuance of the Ophir trade after Solomon's death, but also from 1 Kings xxii. 49 f., according to which Jehoshaphat again built ships, which were intended to sail to Ophir, but were wrecked in Ezion-geber before they could make a voyage. The renewed attempt presupposes, that before the time of Jehoshaphat this trade had been checked or come to an end.

(4) Movers, *Phönizier*, ii. 3, p. 200 ff., has treated the trade of the Phœnicians with the Israelites with great fulness, and proved how considerable and profitable it must have been.

(5) How much grain the Israelites could dispose of to the Phœnicians, may be judged by the fact that Solomon made over to King Hiram for his court 20,000 cors yearly, *i.e.* according to the computation of Thenius, 38,250 bushels [Dresden] of wheat and 20 cors of finest oil (1 Kings v. 25); and to the Tyrian workmen on the Lebanon, 20,000 cors of wheat and as many of barley (2 Chron. ii. 9). The thickly peopled Phœnician cities received their chief supply of grain from the neighbouring fields of Galilee, but also from the more distant corn-growing regions of Palestine, Samaria, Moab, Ammon, and Gilead. The best wheat was got from the land of Ammon, the so-called *Minnith* (Ezek. xxvii. 17), so that the Ammonites, when subject to Judah, paid their tribute partly in wheat and barley (2 Chron. xxvii. 5). Comp. Movers, *Phöniz.* ii. 3, p. 209 ff., who computes the amount of the Jewish corn exports to Sidon at 12½ million thalers [nearly £1,900,000].

(6) On the considerable export of asphalte (חֵמָר, Jewish pitch) to Egypt and its use, comp. Movers, *Phöniz.* ii. 3, p. 225 f. The asphalte of the Dead Sea is still collected by the Arabs, and the rütl or pound sold for 4 piastres, and is sometimes brought to market to the amount of 60 kuntars, the kuntar being equal to about 98 lbs. English. Comp. Robinson, *Pal.* i. p. 518; and Ritter's *Erdkunde*, xv. 1, p. 758 ff.

(7) This land trade was shared by the Philistines, partly with Egypt, partly with the Arab tribes on the Red Sea. In more ancient times at least they had no shipping trade, and it was not till later that a harbour for Gaza was made in the coast town of *Majumas*, probably by Egyptians. Comp. Stark, *Gaza*,

p. 320 ff.—The Philistines as well as the Phœnicians also traded in slaves and sold captive Israelites into distant lands, for which the prophets threatened them with divine punishment, Amos i. 6, 9; Joel iv. 3, 8. Comp. Movers, *Phöniz.* ii. 3, p. 70 ff.; and Stark, *Gaza*, p. 324.

(8) From Neh. xiii. 19 it appears that foreign traders had their depots outside the gates of Jerusalem. We have no certain and unambiguous testimonies of settlements of Phœnician traders in the cities of Israel in pre-exilic times, for the passages, Zeph. i. 10 f., Prov. vii. 6 ff., adduced by Movers, *Phöniz.* ii. 3, pp. 115 ff. and 202 ff., admit of different interpretations. According to prophetic usage, the name *people of Canaan* (עַם כְּנַעַן, Zeph. i. 11) may be applied to the population of Jerusalem, who resembled the Canaanites in their disposition and trading spirit. Comp. Strauss, *vatice. Zeph. ad h. l.* With more probability the strange woman (נָכְרִיָּה, Prov. vii. 5 ff.) may be taken for the wife of a non-Israelitish trader, who lived in the city (Jerusalem). On the other hand, Zech. xiv. 21, according to which no Canaanite, *i.e.* no heathen, shall come into the house of Jehovah in the Messianic times, proves nothing. Even 1 Kings xx. 34, where the conquered Ben-hadad says to Ahab: "I will make thee streets in Damascus, as my father made for himself in Samaria," only shows that foreign kings as conquerors enforced on the Israelites the condition of giving the freedom of living and trading to their subjects in the cities of Israel, especially the chief cities; whence no doubt it may be inferred that such rights might also be acquired by independent treaties.

Apart from this foreign commerce, there must early have been formed among the Israelites a retail trade, which is indispensable to any people in the least civilised. This was necessitated by the duty laid on them of appearing yearly before the Lord in the sanctuary with gifts, firstlings and tithes. The law allowed those dwelling at a distance to sell the tithe of grain, wine, and oil, and the first-born of oxen and sheep set apart for sacrificial feasts, and with the money received to purchase at the holy place oxen, sheep, wine, and strong drink, and all that their soul desired (Deut. xiv. 23 ff.). Very soon, therefore, a not unimportant market must have arisen here, at which every one could obtain for money what he needed for his sacrifices and feasts. Even the payment of the hides of the victims, which fell to the priests as their portion of the burnt-offerings, and the skins of the thousands

of paschal lambs, must early have given rise to a busy trade in the central sanctuary, which must have increased with the extension of the sacrificial system; and in later times, when with the introduction of foreign money into the land there was added the exchange of foreign coins for the holy shekel required to pay the temple tribute, this trafficking had penetrated into the outer court of the temple (John ii. 14 f.; Matt. xxi. 22).—This sinful trading, associated with all kinds of usury, was in violation of the holiness of the temple. But dealing in things required for sacrifice was no more forbidden by the law than the sale of the superabundant products of the land, cattle, and work, for money, or for the necessaries and luxuries of life. Moses assumes such trading among the people without checking it, merely seeking to prevent the sin which easily attaches to all trade by the command, not to be unrighteous in their measures of length or capacity, but to keep just balances, just weights, a just ephah, and a just hin (Lev. xix. 36; Deut. xxv. 13 ff.).

After the Babylonian exile Israelitish trading was expanded by the dispersion of the Jews in all parts of the world, whence numerous caravans of pilgrims repaired to Jerusalem at the principal feasts to present offerings and pay the temple tribute (9). On the other hand, however, it contributed more to the advantage of their foreign masters than to that of the Jewish people, on account of the royalties which those claimed in the most precious products of the land, and the taxes which they laid on goods. But Jews were not wanting who sought to enrich themselves by various monopolies and privileges, as, for example, farming the taxes, though they thereby incurred the contempt of the people and its spiritual leaders (10). Even the growth of commerce which resulted from the improvement of the port of Joppa by Simon the prince, and the construction of the harbour of Cesarea by Herod, were mostly to the advantage of foreigners, the Jews who adhered faithfully to the law of their fathers being generally disinclined to trading because of the unrighteousness attaching to it.—Not till after their entire dispersion, and under the oppression to which they were subjected, was the love of trading and speculation developed which distinguishes the Jews to the present day.

(9) According to Josephus, *Antiq.* xviii. 9. 1, πολλοὶ μυριάδες ἀνθρώπων undertook the bringing of the temple tribute and other sacred offerings to Jerusalem from the Babylonian Jews. It is sufficiently well known from the New Testament how the non-Palestinian Jews were accustomed to travel to Jerusalem to the great feasts.

(10) Comp. the conjunction of publicans and sinners, Matt. ix. 10 f., xi. 19; Luke v. 30, vii. 34. These publicans, τελῶναι, are indeed only the tax-gatherers, the taxes under the Roman dominion being mostly let out to rich Romans and provincials, who naturally sought to make the revenue as large as possible. Comp. Winer, *R. W.*, art. "Zöllner;" and on the gathering of tribute and taxes, Wieseler, *Beiträge zur richtigen Würdigung der Evangelien*, Gotha 1869, p. 76 ff.—For proofs that even in his time Jews eagerly sought trading monopolies and developed a speculating spirit, see in Josephus, *de bell. jud.* ii. 21. 2, and *Vita*, § 13. Comp. also Winer, *R. W.* i. p. 460.

§ 129. *Modes of Travelling and Transport.*

Not only the trade, but the migrations of races from the most ancient times, prove that journeys far and wide were undertaken in the remotest antiquity. But commerce and military expeditions necessitated the making of *roads* and paths, of which the earliest historical trace is perhaps to be found in the *king's way* (Num. xx. 17, xxi. 22) (1). At first such roads were simply made by travellers always taking the same way; afterwards regular paths were made by laying earth and stones. Such are required in the law, especially for the approaches to the cities of refuge (Deut. xix. 3). But in earlier times the connecting roads between different cities were in a rather miserable condition, and hardly passable in winter or in the rainy season, though the hard rocky ground in the mountainous part of Palestine made it easy to construct good roads. Regular military roads were first constructed in Palestine by the Romans, and provided with milestones, *lapides*. But much earlier the land was traversed by highways for commerce, which have remained to the present day (2).

This alone made travelling difficult. But it was still more so from the want of suitable *inns*, which were wholly wanting in the most ancient times, and were but poorly furnished

when set up at a later date (3). Travellers had therefore to carry with them what was absolutely necessary, and hence they travelled mostly in larger companies, with many beasts of burden for the transport of utensils, provisions, tents, and other necessaries (Gen. xxiv. 10 f.) (4). Single persons made even distant journeys on foot. They carried with them the necessaries of life in a wallet (*πήρα*, Matt. x. 10), also if need were, a bottle of water on the shoulder (Gen. xxi. 14, xxviii. 10 ff.). Commonly, however, such journeys were made on asses, especially if there were women and children (Judg. xix. 9 ff.; 1 Sam. xxv. 20; 2 Sam. xvii. 23; 1 Kings ii. 40; comp. Luke x. 34). In travelling through the desert, camels were used, as at the present day (Gen. xxiv. 10). In inhabited regions the traveller found quarters for the night in private houses, which the prevailing hospitality threw open to him (Judg. xix. 17 ff.), or he encamped outside under a tent. Even in later times, when there were inns, private houses hospitably offered were usually preferred (Luke ii. 7, ix. 52, xxii. 11).

For the *transport* of articles, the things needed by the way, and even of women and children, waggons were used in the earliest times. These were drawn by oxen (Num. vii. 3; 1 Sam. vi. 7; 2 Sam. vi. 6), and were in use in Egypt so early as Jacob's time (Gen. xlv. 19, 21, 27). The Israelitish princes had waggons on their march through the wilderness (Num. vii. 3), and in after times men of rank commonly drove (1 Kings xii. 18; 2 Kings xix. 23; Acts viii. 28), though asses, mules, and camels were always used for riding as well as for draught.

(1) The making of these great military roads falls in the prehistoric period. According to one legend it is ascribed to Semiramis, according to another to Memnon. Comp. Movers, *Phönizier*, ii. 1, p. 278. They were called *king's ways*, because they were constructed at the royal cost, and perhaps also toll was taken for the king from the trading caravans. Comp. Movers, *Phönizier*, ii. 3, p. 132.

(2) The statement of Josephus, *Antiq.* viii. 7. 4, that Solomon paved the streets leading to Jerusalem with black stone (basalt?), can hardly be considered historical, but is transferred to Solomon from the custom of later times; and this much only is true, that Solomon set himself to improve

the trading highways.—The regularly paved roads, of which many remains are still found in Palestine, are shown to be the work of the Romans, by their entire similarity to the old Roman roads in Italy. Comp. Robinson's *Palestine*, ii. p. 262 f., with i. pp. 187, 194, ii. 487 f., etc. Particulars regarding the main roads of Palestine, see in Relandi *Palæstina illustr.* p. 404 sqq.; and Winer, *R. W.*, art. "Strassen."

(3) In Gen. xlii. 27; Ex. iv. 24; 2 Kings xix. 23, comp. Jer. ix. 1, the word מָלוֹן, which Luther translates *Herberge* [A.V. *inn*, R.V. *lodging-place*], denotes only the station, the place of rest for the night, either under a tent or in a cave. The first trace of an inn is to be found in Jer. xli. 17, גֵּרוּת. This is more clearly indicated by πανδοχεῖον (Luke x. 34), where for money paid to the host the needful nourishment was received; whereas by κατάλυμα (Luke ii. 7) is meant an entertainer's private house. —The origin of caravansaries or khans, also called *Mensils* (منزل), still common in the East, is unknown. Perhaps they were first instituted by traders who regularly passed along the same road. According to Herodotus, v. 52, there were royal ways with caravansaries throughout the whole of the Persian Empire; but their origin goes further back, and is to be found, perhaps, among the Phœnicians, to whom the construction of paved roads is ascribed; comp. Movers, *Phönix.* ii. 3, p. 132 ff. Now they are spread over the whole of the East. They are found in cities, villages, and even on the open highway. They consist of large buildings of massive stones arranged in a square, which enclose a spacious court. They are frequently of two stories; the lower containing stores and vaults for goods and stalls for cattle; the upper rooms for travellers. They have a well, or a large reservoir; comp. Rosenmüller, *A. u. N. Morgenland*, v. p. 161 ff.; Robinson, *Pal.* ii. 487; and Wellsted's *Travels*, ii. 218 f.

(4) Such travelling companies, Hebr. הֲלִיכוֹת אֹרְחוֹת (Gen. xxxvii. 25; Job vi. 18), are called in Persian كروان, Arab. قيروان; comp. Niebuhr, *Reisen*, iii. p. 4 f., and the description of the caravans of Dedan (Isa. xxi. 13–17). Here we have the custom mentioned of meeting the caravans with water, partly by preparing and keeping in order springs and cisterns on their route, and partly in this way, that waterless stations were provided with water by the inhabitants of the neighbouring places, of course at certain times, when the caravans arrived, for which the travellers made payment. This arrangement existed even in the time of Moses in Idumea and Perea (Num. xx. 17, xxi. 20), where we read of the Israelites being willing to march

through the land of Edom, the territory of King Sihon, on the king's way or high road, and to pay for water for themselves and their cattle. This custom was widespread in the ancient East; comp. Movers, *Phönizier*, ii. 3, p. 131 f.

THIRD SECTION.

SCIENCE AND ART OF THE ISRAELITES.

§ 130. *Their Character.*

In primitive times, science and art belonged pre-eminently to the service of religion. They kept this character among the Israelites as long as the theocracy continued. Religion as divine revelation, or rather, the Spirit of God as the principle of revealed religion, was the living power which animated the more gifted spirits of the nation, and impelled them to inquire into things divine and secular (1 Kings v. 9 ff.), as well as to give expression to their conceptions and ideas in works of art (Ex. xxxi. 3 ff.). Beside these higher spiritual efforts directed towards the knowledge and glory of the true God, attempts at secular knowledge and art could not gain any firm or fruitful soil in Israel, though the cultivation of the arts and sciences did not belong in the least to any privileged class, such as a priestly caste, but was open to every one, and some branches of them were prosecuted successfully by prophets and other wise men and artists.

True to this principle and origin, the science of the Israelites, so long as the theocracy flourished, preserved a thoroughly practical character, equally removed from theoretical speculations on the nature of things, and from the study of such subjects as did not immediately touch the life of the people. Not till the period of the dissolution of the theocratic State did science begin to pass over into erudition, though even then all studies had reference to the right understanding of that knowledge of God which was deposited in the Holy Scriptures, and had for their aim the application of the law to the manifold relations of life and the strengthening of the soul against doubts.—So, of the fine arts, only poetry,

rhetoric, and music were developed and cultivated for religious purposes; and even the plastic art reached its highest perfection in the construction of the temple. Though Israel, therefore, was excelled by many nations of antiquity in science and art, taking the words in their common meaning, its efforts and achievements in these fields are animated by a spirit which outlasts all merely human science and art, and possesses the divine power of overcoming the world with its sublimest efforts, and of guiding the spiritual development of our race to the predestined goal of its perfection.

FIRST CHAPTER.

THE SCIENCES.

§ 131. *Writing and Literature.*

As speech furnishes man with the means of expressing and communicating to others his thoughts and feelings, nay, as without speech rational thinking in general is impossible, so *writing* not only furnishes the means of communicating the results of knowledge and thought truly and purely in a lasting form to contemporaries and posterity, but it is also the essential condition of the successful cultivation of every science. Had the wise of primeval and ancient times communicated the experiences of their lives and the results of their reflection to the younger generation only by oral tradition, and committed them in this way to posterity, the human memory is so treacherous, that without the invention and use of writing, the range of information would have been very small, and the domain of knowledge and wisdom very limited.

The *invention of writing, i.e.* writing by syllables and letters, goes back beyond the limits of history. It was undoubtedly due, however, to a Semitic people, for the so-called Phœnician alphabet, from which all alphabetic writing of ancient and modern times is descended, corresponds perfectly to the character of the Semitic language, rich as it is in gutturals; and the supposition that the Semitic writing by sounds was

formed either from the Egyptian hieroglyphic writing or from the Assyrio-Babylonian cuneiform writing, cannot be shown to be probable, far less certain (1). This much, however, is now placed beyond doubt, that Semitic writing in letters was in existence in Abraham's time, though in the history of the patriarchs which has come down to us we have no sure traces of its use, as nomads generally easily dispense with writing. On the contrary, the knowledge and use of it was widely spread among the Israelites in Egypt, as appears from the fact, that the officials who superintended the task-work of the Hebrews had their name *Shoterim* from writing (2). —Thus in this respect also the people of Israel were sufficiently prepared and trained to realize the patriarchal promises made to them by their adoption as the covenant people, and the founding of a kingdom of God. Without the knowledge and use of writing, God could not have given the tribes of Israel a law so regulating all the arrangements of life, so settling all the relations of the people to their God and Lord, and all their rights toward one another, that human sin and selfishness could not alter it, as indeed it seems scarcely practicable to have a well-ordered constitution and administration for a State without the use of writing.—Hence in the Mosaic legislation writing is not only presupposed as perfectly well known, but its use is commanded in the case of the jealousy-offering (Num. v. 23), divorce (Deut. xxiv. 1 ff.), and various other instances (Ex. xvii. 14; Num. xvii. 17; Deut. xvii. 18, xxvii. 1 f., etc.). Under Joshua the law is written on the memorial stones which were set up on Mount Ebal (Josh. viii. 32). The land to be divided was first described in writing (xviii. 4 ff.). And even in the disturbed period of the Judges, a time when all culture had declined, a youth of the people of Succoth, who chanced to fall into the hands of Gideon, is able to write out for him seventy-seven names, being those of the nobles and elders of the city (Judg. viii. 14) (3).

The *form of writing* used by the Israelites is the old Semitic, preserved on Moabite and Phœnician monuments, old Assyrian bricks, Maccabee, Phœnician, Carthaginian, and other coins and inscriptions (4), which were spread over the whole of Western Asia, from the Tigris to Phœnicia, and

over the islands and coasts of the Mediterranean as far westwards as the Semitic language reached, and was brought by Cadmus to the Greeks. From it were formed in course of time the various Aramaic kinds of writing, remains of which have come down to us on the stone of Carpentras, and the Palmyrene, Nabatæan, and other inscriptions; and after the exile the so-called quadrat alphabet [uncial], in which the most ancient Bible manuscripts are written (5).

The oldest writing-material of the Israelites was formed of goat or sheep skins, which are presupposed (Num. v. 23 and Jer. xxxvi. 23), and which with writing came from the Phœnicians to the Ionians (6). These skins, which, when more finely wrought into leaves, afterwards received the name of *parchment*, from the city of Pergamos, were written over in columns (divisions, דַּלְתוֹת, Jer. xxxvi. 23), and rolled up as "volumes" (מְגִלַּת סֵפֶר, Ps. xl. 8). At an early date, though the time cannot be more exactly determined, the Israelites probably became acquainted with Egyptian *paper*, prepared from the papyrus plant, and may have used it for letter-writing (7). A stylus (עֵט) of wood, probably a reed (*κάλαμος*), and black ink (דְּיוֹ, Jer. xxxvi. 18; *μέλαν*, 2 John 12) (8), were used for writing; writers were accustomed to carry writing materials (קֶסֶת הַסֹּפֵר) at their girdle (Ezek. ix. 2).

(1) More on the subject, see in my *Lehrb. der hist. krit. Einleitung in d. A. Test.*, 3rd ed., § 4. On the diffusion of Semitic writing, L. Geiger says, in his treatise on the origin of writing, 1868, in *Ztschr. der DMG.* xxiii. 159 f.: "We know not only in general, that our European written characters all sprang from the Greek, and secondarily from a Semitic origin, but we also know exactly, from Mommsen's investigations, the way in which the Italic alphabets were developed. The Gothic alphabet of Ulphila, as well as the Cyrillic one of the Sclavs, is of Greek origin; nay, the Runic characters are undoubtedly from the same source, being probably a form of development which came at an early time by way of Massilia to the Gauls, and thence to the Germans. A Semitic origin for the Indian Devanagari has also been made very probable by Alb. Weber, and thus a vast portion of Asia carried back to the same source; for not only the native written characters of nearer and further India, such as Bengali, Urija, Telinga, Tamil, moreover, the Burman and Javanese, but also the Thibetan, are daughter and sister systems of the Devanagari. The characters of the Mongols,

Tungus, and Mantchoos are, as Klaproth observed, formed from the Syrian, and that by turning them round, and adopting the vertical columns of the Chinese. If, in addition to these, we reckon the written characters of the original Semitic alphabet itself, which are still preserved in its Hebrew, Ethiopian, Samaritan, Zend or mid-Persian, Syrian, and Arabian branches; if we further consider that the latter branch has been adopted by the Turks, Persians, Malays, and in Hindustani,—we cannot help being amazed at the marvellous diffusion of such a discovery from one point." L. Geiger takes Babylon to be the fatherland of this so widely-spread alphabet, whence also proceeded the ancient system of weights and measures. On the other hand, the prevailing view, that the Semitic alphabetic writing is of Egyptian origin, and was formed by a modification of the Egyptian hieratic writing (comp. Schrader on de Wette's *Lehrb. d. Einl. in d. A. T.*, 8th ed., § 105), is exposed to very weighty difficulties from the character of this alphabet; comp. my *Lehrb. d. Einl.* § 4, notes 2–4. Moreover, W. Deecke "der Ursprung des altsemitischen Alphabets aus der neuassyr Keilschrift," in *ZDMG.* xxxi. (1877) p. 102 ff.; the same author: "Ueber das indische Alphabet in sienem Zusammenhang mit den übrigen südsemit. Alphabeten," *ibid.* p. 598 ff.; and "Ueber den Ursprung der altpersichen Keilschrift," xxxii. p. 271 ff.

(2) Comp. the full discussion of the age of the art of writing by Hengstenberg, *Beitr. z. Einl. in d. A. T.* ii. p. 415 ff.

(3) Comp. Hengstenberg, *ubi supra*, p. 457 ff.

(4) The oldest monument yet found is the stone of Mesha king of Moab, the so-called Meshastele (see above, vol. i. p. 14), from the first half of the ninth century B.C. The next, and larger, is the inscription on the sarcophagus of the Sidonian king Eschmunazar, of the fifth century B.C. (comp. Schlottmann, *Die Inschrift Eschmunazar's, Königs der Sidonier*, Halle 1868). Then there are about twenty Syrian bricks, found in the ruins of Khorsabad, of the eighth or seventh century B.C.—The other Phœnician inscriptions are given by P. Schroeder, *Die phönizische Sprache*, Halle 1869, pp. 47–72; and the Semitic inscriptions in Melch. de Vogüé, *Syrie centrale* (see above, vol. i. p. 14).

(5) On the history of this development, comp. my *Lehrb. d. Einleit.* § 164; and to illustrate the gradual transition from the one form of writing to the other, the table of characters in Schlottmann's instructive article, "Schrift u. Schriftzeichen," in Riehm's *Hwb.*

(6) According to the testimony of Herodot. v. 58. That such hides (διφθέραι) were used as writing material by the Israelites, is so far clear from Num. v. 23, where a material is presupposed, from which writing might be washed off without its being

destroyed by water; and from Jer. xxxvi. 23, where the roll is cut with the knife, showing that it cannot, like paper, be torn. By comparing these two passages, we find that the Israelites, from the time of Moses to the exile, used skins for writing. Even the Apostle Paul has still *μεμβράνας, i.e.* parchment (2 Tim. iv. 13), for his letters; whereas John wrote shorter letters on paper (*χάρτης*) (2 John 12). Comp. also *χαρτηρία*, 3 Macc. iv. 20.

(7) See fuller particulars in Hengstenberg, p. 485 ff. *Letters* (סְפָרִים) are mentioned under David (2 Sam. xi. 14), and then more frequently (1 Kings xxi. 8 f.; 2 Kings v. 5 ff., x. 1; 2 Chron. ii. 20, xxi. 12, etc.).

(8) When writing for monumental purposes was to be inscribed on stone or metal, the stylus was of iron (Job xix. 24) or diamond (Jer. xvii. 1). But it cannot be proved from the word עֵט, rendered by the LXX. in various places by *γραφίς, γραφεῖον, κάλαμος, σχοῖνος*, that the common writing stylus was of metal, since the root עוט cannot be proved to mean *fodere*. Comp. Gesen, *Thes. s.v.*—Ink has its name, דְּיוֹ, from its black colour. Comp. J. J. Quandt, *Dissert. de atramento Hebræor.*, Regiom. 1713, 4.

But writing acquires a much higher significance for the spiritual development of mankind, from the fact that it renders *literature* possible, in which the human mind deposits the ripest fruits of its activity for contemporaries and posterity. The literature of the Hebrews does not begin with the exaltation of Israel to be God's people at the exodus, but may be traced with certainty to the times of Abraham. In the first book of Moses not only are the oldest oral traditions of our race regarding primeval and early times preserved, but pre-Mosaic records are incorporated with the theocratic introduction to history, which were probably written by the patriarchs, if not brought with them from their native Chaldea (9). The creator of Israelitish literature, however, properly so called, is Moses, who in the books named after him laid the foundation for the sacred literature of the ancient covenant people. All the following historians, psalmists, and prophets tread in his footsteps, and, pursuing the paths opened up by his creative mind, carry on and perfect especially sacred poetry and prophecy in their form and contents. The result is, that under David and Solomon poetry reaches its highest point; prophecy, on the other hand, does not develop into an independent

branch of literature till the ninth century; then for two centuries it eclipses all other branches, and furthers the spiritual development of the theocratic life, judging and rebuking, instructing and comforting. Not till religious and moral corruption spread more and more among the mass of the people, entailing in the end the punishment of the exile, did their sacred literature degenerate, and even during the Babylonian exile, but still more thereafter, lose in originality and fertility, until about the year 400 B.C. it came to an end with the extinction of prophecy and the dying out of the Hebrew language (10).

Besides the sacred literature comprehended in the canon of the Old Testament, the Israelites had other works, of which we have only the titles, with extracts of their contents, in the canonical historical books. From these we gather that the works in question dealt partly with the history of the people, especially the working of the prophets, while they were partly the products of national enthusiasm, as well as of the reflections of the wise on nature and human life (11).

Even after the canon of the sacred writings was closed, various works were written, partly in Hebrew or Aramaic, but mostly in the Hellenistic idiom; and in so far as they are of a religious didactic character, or describe the struggle of the nation for the ancestral religion, they were embraced in the Alexandrine translation of the Old Testament, and thereby preserved. In matter and form, however, these writings are but weak imitations of the ancient sacred literature. They are partly products of the scholastic learning which began to appear at that time, partly endeavours of patriotic zeal to counteract the invasion of Judaism by foreign, and especially Hellenistic culture and philosophy. Or they sought to reconcile the wisdom of the revealed doctrines contained in the law with the ideas of Oriental and Greek speculation, and to represent Mosaism as the source of all deeper truths in opposition to the boastful Greeks (12).

(9) I have collected particulars on this subject in Hävernick's *Handb. d. Einleitung in d. A. Test.* i. § 116 ("Results regarding the Sources of Genesis"). Therewith comp. my *Lehrb. d. Einl.* p. 157, 3rd ed.

(10) Comp. my *Lehrb. der histor. krit. Einl. in d. A. Test.*, 3rd ed., Frankfort 1873.

(11) The titles of these writings are collected in my *Lehrb. der Einleit.* § 5 and 6, in the notes.

(12) These are the so-called Apocrypha of the Old Testament; in regard to the contents and origin of which, comp. my *Lehrb.* § 226 ff.

§ 132. *Theological Schools.*

Though single books of the Old Testament contain proofs, not a few, of the diffusion of the knowledge of the Holy Scriptures among the educated in Israel, yet there is no trace of schools for the instruction of youth or of the people in pre-exilic times (1). Neither have we any information — apart from the solitary instance mentioned, 2 Chron. xvii. 7–9 —as to how far and in what way the priests fulfilled their calling to teach the people all the ordinances which God gave by Moses (Lev. x. 11).—The schools of the prophets, which were called into life by Samuel (1 Sam. x. 5, xix. 28), and afterwards acquired a firmer organization under Elijah and Elisha in the kingdom of the ten tribes (2 Kings iii. 3, 5, iv. 38, vi. 1), were not theological schools. They were associations aiming at spiritual training, with a view to working powerfully on contemporaries by the gift of speech and of prophecy, in order to awake a living theocratic character among the people, and to prevent their apostasy from Jehovah the living God (2).—Not till after the exile, when prophecy began to decline, did the study of the law become matter of scholastic learning; and the priest Ezra is mentioned as the first who set his heart to search and do the law of Jehovah, and *to teach ordinances and judgments* in Israel (Ezra vii. 10). Since he is not only called (Ezra vii. 6) a scribe learned in the law (סֹפֵר מָהִיר) of Moses, but is also named in the royal letter of Artaxerxes a "perfect scribe in the law of the God of heaven" (vv. 12 and 21), he must, as a priest, have made the study of the law his chief business. From that time onwards notable scribes (סוֹפְרִים, *γραμματεῖς*) or lawyers (*νομοδιδάσκαλοι, νομικοί*) are mentioned from time to time, who partly applied themselves with great diligence to the faithful observing and handing down of the letter of the law and of the Sacred Scriptures, partly made the contents of

Scripture their special study, especially applying the law of Moses to the practical duties of life, and giving decision in doubtful cases (Matt. ii. 4; Luke ii. 46) (3). By this species of learning a complete system of casuistry founded on the law was gradually formed for all the relations of life. This was orally transmitted by the scribes and their associates, *i.e.* the scholars, who gathered round teachers famous for their able explanations of the law. Under the name of the *tradition of the elders* (παραδόσεις τῶν πρεσβυτέρων, Matt. xii. 5), it was ranked on an equality with, and in the end even placed above, the written law of Moses (4). Under these circumstances, it was inevitable that the scribes should set up and maintain various opinions on many points of the law and of its application to the relations of life, whence parties arose among their scholars and adherents.

On the institution of these schools we lack more exact information for the period from the exile to the dissolution of the Jewish State. We may suppose that students who sought a deeper knowledge of the law turned to those of the scribes, who were eminent for their wise and subtle expositions, to receive instruction from them. This was given by the teachers, partly in their houses, partly in the synagogues, partly in the porticoes of the temple in the form of conversations or disputations, and that gratuitously (5); the teachers sitting, the scholars or hearers at first standing, but afterwards sitting at the feet of their teachers (Acts xxii. 3).—That the scribes took pleasure in publicly discussing questions of the law, is evident from the Gospels. The more ancient scribes had not any learned title. These came gradually into use in the time of our Lord, and were formed after the destruction of Jerusalem into a series of learned honours in the rising schools of Jabne (Jamnia), Tiberias, and other places (6).

(1) On the traces of the diffusion of the knowledge of the Holy Scriptures among the people before the exile, comp. my *Lehrb. d. Einleit. in d. A. T.* § 153, p. 495 f.; and on the instruction of children and the first schools, see above, § 111, note 4.

(2) On the schools of the prophets, comp. my comment. on 1 Sam. xix. 24, p. 159 ff., 2nd ed. The older theologians, following the Rabbins, regarded these as schools of learning. Thus

Vitringa says, *De Synag. vet.* lib. i. p. 2, c. 7, p. 350: "Certe hi *Prophetarum filii* fuerunt Philosophi, vel si vis, Theologi et Theologiæ candidati ac alumni, scientiæ rerum divinarum sedulo incumbentes sub ductu unius alicujus exercitati Doctoris." Nay, the later Talmudists speak even of schools of the patriarchs, and represent father Jacob as receiving instruction for fourteen years in an academy of Shem and Eber. Comp. Waehner, *Antiq. sacr.* ii. p. 794.

(3) On the zeal of the Sopherim for the faithful preservation of the biblical text, comp. my *Lehrb. der Einleit.* § 158; on their work as *teachers* of the law, comp. Herzfeld, *Geschichte des Volkes Jisrael*, iii. pp. 264 ff. and 246 ff., and J. M. Jost, *Geschichte des Judenthums und seiner Sekten* (Lpz. 1857), i. p. 197 ff.; and the comprehensive statements of Pressel, "Rabbinismus," in *PRE.* xii. pp. 470–487; Leyrer, "Schriftgelehrte," in *PRE.* xiii. pp. 731–741; and Schürer, *Jewish People in the Time of Jesus Christ*, i. pp. 313–328 (with the more recent literature, given p. 312).—Of the famous scribes who flourished down to the destruction of the Jewish State five pairs are named: 1. *Jose ben Joezer* and *Jose ben Jochanan* at the time of the Syrian wars, who gave forth strict ordinances regarding clean and unclean. 2. *Josua ben Perachjah* and *Nithai of Arbela* in the last times of John Hyrcanus, who laboured to secure a larger place and authority for oral tradition. 3. *Simon of Shetach*, "the soul of the new Pharisaic legislation," and *Juda ben Tabbai* under the government of Alexandra and her sons, Hyrcanus as high priest, and Aristobulus as military leader. 4. *Shemaiah* and *Abtalion* (*Sameas* and *Polion*), sons or descendants of proselytes under Hyrcanus II. and the procurator Antipater. 5. *Hillel*, first with *Menachem*, then with *Shammai* under Herod the Great, who founded famous schools, and differed from one another not only on single points of the law, *e.g.* the grounds of divorce, but in their conception of it as a whole, Hillel seeing the essence of religion in the moral principle: "What is displeasing to thee, do not to others;" Shammai, on the contrary, in the stricter fulfilling of the law; Hillel accordingly being for the milder view of the law, Shammai demanding the stricter following of the letter.—Among other distinguished men of the school of Hillel was his grandson *Gamaliel*, at whose feet *Saul* the Pharisee, afterwards the Apostle *Paul*, received his Rabbinical training (Acts v. 34, xxii. 3).—More regarding the fore-mentioned heads of schools, see in Schürer, i. p. 351 ff.; on Hillel and Shammai, see Carpzovi *Apparat.* p. 316 ff., and in Herzfeld, *ubi supra*, p. 257 ff.; and on Hillel especially, comp. F. Delitzsch, *Jesus and Hillel, compared with reference to Renan and Geiger*, Erlang. 3rd ed. 1875.

(4) A summary collection of the oral traditions relating to the law (*Halachoth l' Moscheh mi Sinai*) down to Hillel is given by Herzfeld, *ubi supra*, p. 226 ff.

(5) The scribes gained their livelihood by following a trade, unless they had means of their own or acquired it by marriage. Thus the famous Hillel is said to have lived as a day labourer. *Pirke Abot* ii. 2 (Misch. ed. Surenh. iv. p. 413): "Rabbi Gamaliel . . . dicit: pulchra est disciplina legis cum artificio aliquo adjuncto, labor enim utriusque oblivisci facit peccati. Omne quoque studium cui non est junctum aliquod exercitium, tandem dissipatur trahitque secum iniquitatem."—Comp. the collection of Rabbins who plied trades, in Gfrörer's *Jahrhundert des Heils*, i. p. 161 f.; and Delitzsch, *Jüd. Handwerkerleben*, 5 Vortrag: *Lehrstand und Handwerk in Verbindung*, p. 73 ff.

(6) Down to the time of *Hillel* and *Shammai* scribes have no titles. Only after these appear the titles: *Rab*, *Rabbi*, and *Rabban*, of which *Rab* expresses the lowest, *Rabbi* the intermediate, and *Rabban* the highest honour. This last title is allowed only to seven learned men, of whom Gamaliel is one. Comp. Carpzovi *Apparat.* p. 137 sqq.; and on promotion to these honours of the learned by laying on of hands (סְמִיכָה), Carpz. *l.c.* p. 143 sqq.; and Waehner, *Antiq. sacr.* ii. p. 798 sqq.

§ 133. *Pharisees, Sadducees, and Essenes.*

The attitude of post-exilic Judaism to the heathen masters of the country, and far more the zeal of the scribes, to convert the Mosaic law by the application of its precepts to every movement of life into a fence protecting the ancestral faith, and thereby into a weapon of defence securing the nation from corruption and dissolution, gave rise to the two politico-religious parties which, under the names of *Pharisees* and *Sadducees*, meet us in the New Testament as filling the spiritual offices and acting as the leaders of the Jewish people (1). This development took place under the Syrian sovereignty, when heathenism threatened ever more powerfully to invade and destroy Judaism. By a false translation of the designation αἱρέσεις, which Josephus uses of them, these parties have been regarded as religious sects. Their peculiarities have been defined by the particular questions mentioned in the Talmudic Scriptures as disputed between them; whereas they, far from cutting themselves off from their nation by special doctrines or usages, rather laboured to

preserve Judaism in all its peculiarity, and to strengthen and protect it. The points in dispute between them related only to inferences drawn from their different fundamental principles (2).

The name *Φαρισαῖοι*, Heb. פְּרוּשִׁים, Aram. פְּרִישַׁיָּא, denotes *separated ones, i.e.* such as separated themselves by observing strictly the legal ordinances concerning religious purity from everything unclean and heathenish, and in their conduct were careful most punctiliously to observe the Mosaic law according to the ordinances taught by the scribes. In this respect the Pharisees are at one both with the *Chasidim*, *Ἀσιδαῖοι*, 1 Macc. vii. 13, 2 Macc. xiv. 6, who allowed themselves to be killed by their enemies without resistance on the Sabbath, that they might not transgress the Sabbath law, and with the Maccabees, who fought desperately for the maintenance of the law and of the *διαθήκη πατέρων* (1 Macc. ii. 20). And they were warm patrons of earnest observance of the law and upright legal piety, from the bosom of which the most important scribes came forth. When, however, after the victories of the first Maccabees the nation was put in secure possession of the Mosaic law and the temple worship, and the Maccabees became princes and high priests, and began to regard their dynastic interests more than the care of the religious feeling and worship of the nation, the Pharisees set themselves energetically against these intrigues as patriots, who zealously and successfully championed the Mosaic law and the ancestral *νόμιμα*. In following this course, indeed, they themselves fell more and more under the bondage of the letter, attaching a high value to an outward righteousness of works and the empty show of godliness (3). On the one hand, with their zeal for the law, and tradition, which they placed still higher (*παράδοσις τῶν πρεσβυτέρων*, Matt. xv. 2; Mark vii. 3), they undermined the genuine piety of the people, who were absolutely devoted to them (4). On the other hand, with their political Messianic hopes they deadened the national susceptibility for faith in Jesus Christ as the Saviour and Redeemer of Israel, and thereby brought about the destruction of Jerusalem and of the Jewish State.

Politically and religiously opposed to Pharisaism was the

party (*αἵρεσις*) of the *Sadducees*, whose name צדוקים (Talmud), *Σαδδουκαῖοι*, is most probably to be derived from the high priest *Zadok*, whose descendants from Solomon's time onwards held this office, and designates the posterity as well as the adherents and partisans of this high-priestly family (5). Though standing on the ground of the Mosaic law, the Sadducees were less exclusive in their attitude towards the heathen, and inclined to concessions in their conflicts with their heathen masters. As the antipodes of the Pharisees, they rejected the authority of oral tradition, and of all ordinances derived by the scribes from the law. They would admit as valid only the written law in its literal sense. But by their disputes with their antagonists they were carried away, in opposing Pharisaic tradition, to reject the resurrection of the dead, faith in rewards and punishments after death, and the existence of angels and spirits (6).

(1) Josephus (*Antt.* xiii. 5. 9) mentions both parties for the first time under the high priest Jonathan, about 145 B.C.

(2) The older view, that the Pharisees and Sadducees were politico-religious sects, as it is still to be found in Winer, *R. W.* ii. 244 ff. and 352 ff., is now generally given up as inappropriate, and incompatible with the statements of Josephus regarding them; and the question of their relation to the people and the influence which they exercised on the development of the Jewish State from the times of the Maccabees onwards, has been much discussed within the last decades. See these investigations enumerated in Schürer, *Jewish People in the Time of Jesus Christ*, ii. 1 f.; and in addition, J. Wellhausen, *Die Pharisäer und die Sadducäer. Eine Untersuchung zur inneren jüdischen Geschichte*, Greifsw. 1874, is added as an appendix. Schürer, *ubi supra*, also gives the statements of Josephus *in extenso*, along with a summary sketch of the social contrast between Pharisees and Sadducees, their attitude to the law and their Dogmatic.

(3) In this state of degeneracy they appear in the Gospel history as fanatical enemies of Jesus Christ, Matt. v. 20; comp. vi. 2, 5, 6, xii. 2, xv. 1 ff., xxiii. 2 ff.; Luke vi. 2 f., xi. 37 ff., xviii. 11; John ix. 5 f., etc., though even then there were still among them upright and truly pious men, like Nicodemus (John iii. 1 ff.), Gamaliel (Acts v. 34), and others.

(4) Regarding the influence of the Pharisees on the people, Josephus says, *Antt.* xviii. 1. 3: "They have the greatest influence on the communities, so that all the actions of

worship, prayers, and offerings take place according to their ordinances;" *Antt.* xiii. 10. 5: "Their ascendency over the masses is so absolute, that they even find a hearing when they speak against the king and the high priest." See further proofs in Schürer, *ubi supra*, ii. pp. 27, 28.

(5) The derivation of the Sadducees from a certain *Zadok*, a disciple of Antigonus of Socho, in *Pirke Abot* i. 3, is manifestly unhistorical, as Herzfeld, *ubi supra*, p. 382, recognised. The common explanation of the name as a modification of *Zaddikim* (צַדִּיקִים) into *Zadukim* (צָדוּקִים), according to the analogy of פְּרוּשִׁים, is scarcely tenable, since we have no analogies for the change of the *i* into *u*; whereas the name of the priest *Zadok* (צָדוֹק) appears in the LXX. (Neh. iii. 29, xi. 11) in the form Σαδδούκ, and in Josephus, *Antt.* xviii. 1. 1, in the form Σάδδουκος.

(6) On these disputations, comp. Jost, p. 216 ff.; but especially the short perspicuous statement of the disputed points by Hausrath in Schenkel's *Bibellex.* iv. pp. 522–27, and the collection of the questions which according to Rabbinical tradition were debated between them, in Wellhausen, *Die Pharis.* p. 56 ff.—Josephus (*Antiq.* xiii. 10. 6) thus characterizes both parties: *Νόμιμα πολλά τινα παρέδοσαν τῷ δήμῳ οἱ Φαρισαῖοι ἐκ πατέρων διαδοχῆς, ἅπερ οὐκ ἀναγέγραπται ἐν τοῖς Μωϋσέως νόμοις, καὶ διὰ τοῦτο ταῦτα τὸ Σαδδουκαίων γένος ἐκβάλλει, λέγον ἐκεῖνα δεῖν ἡγεῖσθαι νόμιμα τὰ γεγραμμένα, τὰ δ' ἐκ παραδόσεως τῶν πατέρων μὴ τηρεῖν.* In the New Testament (Matt. xxii. 23; Mark xii. 18; Luke xx. 27; Acts xxiii. 8) the Sadducees appear as denying resurrection, angel, and spirit, while Jerome on Matt. xxii. remarks: "Priores Sadducæi corporis et animæ resurrectionem credebant, confitebanturque angelos et spiritum, sequentes omnia denegabant."—Decidedly false is the view of Tertullian and of many older theologians, that the Sadducees did not receive the whole of the Old Testament, but only the Pentateuch, as canonical.

Besides these two parties, who exercised a very strong influence on the spiritual life of the nation, there was developed, probably also from the Chasidim by a still higher striving than Pharisaism for Levitical purity, the sect of the Essenes or Essæans (*Ἐσσηνοί* or *Ἐσσαῖοι*), whose origin is still obscure (7). They retired from public life, with its party contentions, and formed themselves into an order. They lived in sequestered regions, partly to the north-west of the Dead Sea, partly in Egypt, mostly as celibates in common houses, occupied chiefly with tillage, but also carry-

ing on trades. They bathed frequently, wore simple clothes, putting on clean garments at meals, denied themselves all delicacies in eating and drinking, ate no flesh, but lived only on the natural or prepared products of the soil, and drank nothing but water. Neither did they take part in the bloody sacrificial worship at Jerusalem, though they sent offerings to the temple. On their entrance into the order they gave over their property to the society and lived afterwards on the common good, which was administered by overseers from their midst, under strict regulations for the whole day, according to which work and meals began and closed with prayer. According to the time of their entrance into the order, they fell into four classes. Not till after a three years' probation were the novices received into full communion with a terrible oath, in which they swore: to honour God, to practise righteousness, faithfulness, and truth, to pass on the doctrines exactly as they received them, and—what points to a secret doctrine—to preserve faithfully the writings of the order and the names of the angels (8).

(7) They are mentioned neither in the apocryphal books of the Old Testament nor in the New Testament, but are more particularly described by Josephus (*de bell. jud.* ii. 8. 2–15; *Antiq.* xiii. 5. 9, xviii. 1. 2 sqq.) and Philo (*Quod omnis prob. lib.*, and *Apolog. Jud. Opp.* ii. 457 sqq., 632 sqq.; comp. Euseb. *Præpar. ev.* viii. 11). The derivation and explanation of the name are wholly uncertain. Of the various explanations (see in Herzfeld, p. 393 ff.; Jost, p. 207, note; and Keim, *Gesch. Jesu von Nazara* (1867), i. p. 285), that of Ewald is the most plausible (*Gesch. d. v. Isr.* iv. p. 484), from the Syrian and later Hebrew חָסִיא, *pius*, in the plural חָסִין, *stat. emph.* חָסִיָּא, which would explain both of the forms Ἐσσηνοί and Ἐσσαῖοι.

(8) Fuller particulars regarding them in Herzfeld, p. 368 ff., 388 ff.; Jost, p. 207 ff.; J. J. Bellermann, *Geschichtl. Nachrichten aus dem Alterthume über Essäer u. Therapeuten*, Berlin 1821; Dähne, *Geschtl. Darstellung der jüdisch-alexandrin. Religionsphilosophie*, i. p. 439 ff.; Uhlhorn, "*Essener*," in *PRE.* iv. p. 174 ff.; Lipsius, "*Essäer oder Essener*," in Schenkel's *Bibellex.* ii. 181 ff.; and Schürer, *Jewish People*, etc. ii. p. 188 ff., where also the most recent literature on the subject is to be found.

Very similar to the Essenes were the *Therapeutes*, as Philo describes them (*De vita contempl., Opp.* ii. p. 471 sq.), Jewish ascetics in Egypt, including men and women (Θεραπευταὶ καὶ

Θεραπευτίδες). But there were some not unimportant differences between them (comp. the collection of the likenesses and differences in Herzfeld, *ubi supra*, iii. p. 399 f.). The Therapeutes led a purely contemplative life in lonely cells, fasted daily, Sabbath excepted, till sunset, and every seventh Sabbath held a holy meal together.

§ 134. *The Cultivation of particular Sciences.*

I. The *theology* and *philosophy* of the Israelites are summed up in the idea of *wisdom* (חָכְמָה, *Hochma*), which grew out of the objective form of O. T. religion given by the law, prophecy, and the theocratic history of Israel. This wisdom, as it is taught in Proverbs, the Books of Job and Koheleth (Preacher), and a few Psalms, is essentially distinguished from the world-wisdom or philosophy of other peoples. The latter strives *à priori* to reach the final elements of the world and the highest ends of being. Wisdom, on the contrary, because born of faith in the supramundane personal God, the Almighty Creator and Ruler of the world, and the holy Lawgiver and Judge of men, seeks only to comprehend subjectively the objective contents of religion, both the view of the universe given in revelation and the order of retribution prevailing in it. Thus it would seek to know the life-task set before the human soul, not to build up a knowledge independent of divine revelation. Though it thus applies itself especially to the consideration of the order of the universe, of nature and moral relations, and is directed to the universally religious in Jehovistic theology, to the universally moral in the law, and to what is human in dealing with Israel, yet it is never untrue to the ground of revelation from which it sprang (1). Hence it is wholly occupied with the knowledge of that divine wisdom which is manifested in the world and in the historical revelation, and rises, indeed, to the idea of the eternal personal Wisdom, who at creation sits as artificer by the side of God and assigns measure and law to nature (Prov. viii. 22 ff.). In other words, it rises to the thought of an all-embracing and controlling teleology, to find therein the solution of the pressing problems and contradictions of life. But it persistently follows the practical aim of shedding light on all sides on the inquiry into the reality of the holy and

righteous government of the world, as this is taught by the Mosaic law, and it seeks to prove this in the relation of man's lot to his moral character, to teach the fear of the Lord, *i.e.* the disposition and conduct in all the relations of social and domestic life which correspond to the divine will (2).

(1) Wholly mistaken is the view which J. Fr. Bruch, *Weisheitslehre der Hebräer* (Strassb. 1857), advances, that the wise set themselves in opposition to the theocratic ordinances, especially those of worship, that they were related to them as *Illuminati* to priests, as philosophers to the orthodox. The contrary is proved by the one fact, that Solomon, who built the temple and completed the ordinances of worship, stands at the head of the Wise. Not till they became acquainted with Greek philosophy through Aristobulus, Philo, and others, was there formed among the Alexandrine and Hellenistic Jews a speculative system, which rejects the ground of O. T. revelation, though externally professing allegiance to the Mosaic law, yet dissolving it by allegories into abstract ideas. Comp. Gfrörer, *Philo u. die Alexr. Theosophie*, Stuttg. 1831, 2 Bde.; Dähne, *Geschichtl. Darstellung der jüd. alexandr. Religionsphilosophie*, Halle 1834, 2 Bde.; and Oehler's article, "*Buch der Weisheit u. jüdischer Hellenismus*," in Schmid's *Pädagog. Encyklopädie*, x. 298 ff.

(2) For fuller particulars, see in G. Fr. Oehler, "Die Grundzüge der Alttestamentl. Weisheit" (*Tübinger Univ.-Progr. vom J.* 1854), *Theologie des A. Test.* ii. 276 ff., and in the article, "Pädagogik des A. Test.," in Schmid's *Pädagog. Realencykl.* v. pp. 677–683, in which especially there is given the rich treasure of pedagogic precepts, which the O. T. wisdom developed. Therewith comp. Delitzsch, *Comment. on the Proverbs of Sol.* and on *Ecclesiastes*.

II. *History*, on account of its great importance for the theocracy, was written especially by prophets and put in the light of divine revelation. This theocratic historiography—as we have it in the canonical historical books—drew its material for more ancient times from old trustworthy traditions, tribal reports, genealogical tables, ancient songs (Gen. iv. 23; Ex. xv.; Num. xxi. 14), and other contemporary memorials; for after periods, from biographical descriptions and public annals; and from prophetical and other writings by contemporaries of the events in question. But the extracts thus made are not put together in the form of annals, but, while conceiving the facts as objectively as possible, they are pragmatically handled in such a way, that in the history of Israel God's working

among His people, preparing the way for the redemption and blessedness of all nations, occupies the foreground, so that in the guidance of the ancient covenant people there is seen the guidance of human souls to the goal of their divine destination on earth. To this end the history goes back to the creation of the world and the origin of the human race, to show the genealogical connection of the chosen people with the whole human race, and to fix the right viewpoint for the relation of Israel to the other peoples of the earth, a right insight into its world-wide calling. Thus, with all its seeming particularism, Israelitish history yet bears a truly universal character. This character further appears in the fact, that it gives a continuous chronology from the creation down to the exile. The succession from Adam to Jacob's migration to Egypt is given by the ages of the patriarchs, thereafter by their residence in this land and the exodus from it. Later, it is reckoned by the duration of the reigns of the kings. Then, with the subjection of the people to heathen masters, its history is set in the chronology of their sovereign for the time being (3).—The theocratic books of history supply also, in the table of nations (Gen. x.) and the description of Canaan in the Book of Joshua, valuable contributions to *geography*, though it has not been treated as a special science.

(3) More on the subject, see in my *Lehrb. der Einl. in das A. Test.* § 5, p. 16 f., and § 40, p. 174 ff. Comp. besides, Delitzsch, "*Der Formenreichthum der israelitischen Geschichtsliteratur*," in *d. Luther. Ztschr.* 1870, p. 21 ff.

III. In the *natural sciences*, the Israelites do not seem to have gone beyond the simplest observations and empirical knowledge. Of Solomon it is mentioned that he spoke of plants and animals of all kinds, and must therefore have occupied himself with natural history (1 Kings v. 13). The Books of Job and Proverbs also bear witness that the nature of various and even foreign animals was observed, though from all we have, nothing more exact can be gathered regarding the range and character of this knowledge.—The most conspicuous constellations, and their names, were also known to the ancient Israelites (Job ix. 9, xxvi. 13, xxxviii. 31 f.; Amos v. 8), not that we can infer therefrom any strictly astronomical attainments, against which the imperfection of their calendar

speaks. And if the shadow-pointer of Ahaz, mentioned in Isa. xxxviii. 8, 2 Kings xx. 11, was a sun-dial (4), Ahaz must certainly have got it from Babylonia, whence also the Greeks received the dial (Herod. ii. 109).—In mathematics their knowledge probably hardly went beyond the four simple rules (Spezies) which suffice for the common wants of life (comp. Lev. xxv. 27, 50), which they may have learned in Egypt, along with the elements of surveying required for the division of land (5).

(4) On the astronomy of the Hebrews, comp. Stern, "Die Sternbilder im B. Hiob," in the "*Jüdische Ztschr. für Wissensch. u. Leben*," Jahrg. 1864, pp. 258–276.—On the dial of Ahaz, comp. my comment. on 2 Kings xx. 11; and Martini, *Abhdl. von den Sonnenuhren der Alten*, 1777, p. 36 ff.

(5) The early development of geometry and arithmetic among the Egyptians is attested by Herod. ii. 109, and Diod. Sicul. i. 81. Comp. Wilkinson, *Manners and Customs*, etc. iv. p. 6 ff.

IV. If we are to judge from the frequent mention of *physicians* (Ex. xv. 26; Isa. iii. 7; Jer. viii. 22; Sir. x. 11, xxxviii. 1 ff.; Matt. ix. 12; Mark v. 26; Luke iv. 23, etc.), the Israelites must have given much attention to medicine from ancient times. The physicians must have understood how to heal wounds and external injuries with bandaging, mollifying with oil (Isa. i. 6; Luke x. 34), balsam (Jer. xlvi. 11, li. 8), plasters (2 Kings xx. 7), and salves prepared from herbs (Sir. xxxviii. 8; Ex. xxi. 19; 2 Kings viii. 29; Ezek. xxx. 21). The ordinances respecting leprosy also show that the lawgiver was well acquainted with the various kinds of skin eruptions (comp. § 114). And not only Moses, but other Israelites also may have acquired much practical knowledge of medicine in Egypt, where the healing art was cultivated from high antiquity (6). But as to how far the Israelitish physicians advanced in this art, we have not more exact information. From the few scattered hints in the Old and New Testaments, so much only is clear, that internal diseases were also treated (2 Chron. xvi. 12; Luke viii. 43) (7), and that the medicinal springs which Palestine possesses were much used by invalids (8). It by no means follows from the fact that the superintendence of lepers and the pronouncing of them clean are assigned by the law to the priests, that these

occupied themselves chiefly with medicine (9). The task which the law laid on them has nothing to do with the healing of leprosy.—Of the application of charms, there is not a single instance in Scripture (10).

(6) Herodotus, ii. 84, relates of the Egyptians: "Medicine among them is divided in this way. Each physician is only for one disease and not for several, and *physicians are everywhere.* For there are physicians for the eyes, physicians for the head, physicians for the teeth, physicians for the stomach, and physicians for internal diseases." Comp. Hengstenberg, *Die BB. Mos. u. Æg.* p. 68 f.; and Wilkinson, *Manners and Customs*, etc. iii. p. 389 ff.

(7) From the various notices which Winer, *R. W.* i. p. 92, has collected from the Talmudic writings, it only appears, first, that in the course of time the employment of physicians increased, as is indicated even by Sir. xxxviii. 1 ff.; next, that physicians also employed various internal means, and became more at home in surgical operations.

(8) Comp. John v. 2 ff. (Pool of Bethesda). Especially famous were the warm baths of Callirrhoe on the south-eastern side of the Dead Sea, at which Herod sought healing (comp. Joseph. *Antiq.* xvii. 6. 5, *de bell. jud.* i. 33. 5), perhaps identical with the warm springs which Anah found in the wilderness (Gen. xxxvi. 24). On the contrary, neither the spring at Marah (Ex. xv. 23) nor that of Siloam (John ix. 7) belongs to the number of medicinal springs to which they are reckoned by Friedreich, *zur Bibel*, i. p. 41 ff.

(9) As Trusen, *Die Sitten, Gebr. u. Krankh.* p. 5, still maintains.

(10) According to Josephus (*de bell. jud.* ii. 8. 6), the Essenes were distinguished for their knowledge of natural history and medicine, which they drew from ancient writings.—The special works on Biblical medicine in Winer, *R. W.*, art. "Arzneikunst," are unimportant. This holds also of the treatise on Israelitish medicine in Wunderbar, *Biblisch-talmudische Medicin*, 4 Abtheill. 1850–53.

SECOND CHAPTER.

THE FINE ARTS.

§ 135. *Poetry and Oratory.*

Of the fine arts, *poetry* flourished most highly. Its beginnings lie in the earliest times, as is to be seen in the Song of

Lamech (Gen. iv. 23 f.). As the involuntary expression of the strongly awakened and moved soul, no people is without it. And, because religious thoughts and truths move the heart most powerfully and deeply, it appears among all peoples first in the domain of religion in praise of the Deity. Among the Israelites, poetry never left this field. All that is mentioned or indicated of profane songs here and there in the Old Testament disappears when compared with the wealth and grandeur of the religious compositions, which not only equal the most beautiful and sublime poems of other peoples, but excel them in vigour and depth of thought, in tenderness and inwardness of feeling, in fulness and variety of natural images and comparisons.

In contents and character, the poems of the Israelites are partly lyrical, partly didactic. The former, universally the first and most original kind of poetry, meets us so early as Jacob's blessing (Gen. xlix.), the songs of Moses and of Deborah (Ex. xv.; Deut. xxxii. and xxxiii.; Judg. v.), in wonderful sublimity, with great wealth of strong original thought; but it does not reach its perfection and many-sided development till the time of David and other masters of song at the most flourishing periods of the theocratic State. And it outlasts even the dissolution of the kingdom, not ceasing till some time after the exile simultaneously with prophecy.

Side by side with lyric poetry, and interwoven with it, flourished *proverbial versification* or *didactic* poetry. It came to perfection through and under Solomon with the development of Hebrew wisdom. As a composition, it moved in short sentences, pithy gnomes, pointed comparisons, and profound riddles. It unfolds a great treasure of the doctrines of wisdom for every relation of life, religious, moral, and civil. This style of composition still found cultivators in after times among the women at the court of Hezekiah (Prov. xxv. 1), and after the exile in the "Preacher," last of all in Jesus the son of Sirach, whose sentences indeed not only exhibit many imitations of ancient models, but still more furnish prudential rules as moral and religious maxims.

The Israelites had also a talent for the *composition of fables*, as the fable of Jotham (Judg. ix. 7 ff.) and Nathan (2 Sam. xii. 1 ff.) show. On the contrary, epic and dramatic

poetry remained unknown to them, though their lyrics rise not unfrequently to the vividness of the drama.

In *form*, the poetry of the ancient Israelites does not advance to metrical rhythm or syllabic measure and rhyme, and preserves its character of originality and spiritual depth, from the very fact that it is satisfied with thought-rhythm. It strives to give to its contents the suitable formal rounding off, only in the parallelism of the *clauses* of the verses, of the verses and strophes. It gains its poetic style, partly by the use of a higher diction, embracing rarer words, forms of fuller sound, and bold conjunctions of words; partly by constructing a beautiful symmetry of sentences and thoughts for verse and song-rhythm. In this process there arises now and again a perfectly metrical rhythm with similar terminations or rhymes, but without its appearing intentional in any case, or being uniformly carried through (1).

Oratory or *rhetoric* was chiefly cultivated by the prophets. It was not only diligently exercised in the way opened up by Moses in his last speeches for the confirming of the people in fidelity to their God, but also carried to a high degree of technical perfection. The speeches of an Isaiah, Micah, Amos, and other prophets have not their equal in vigour, depth, and fulness of thought, impressiveness of language, and variety of form. In their plan and form they do not indeed possess the fine, well-ordered dialectic of Greek oratory; but, on the other hand, the simplicity of logical development in the thoughts and the style, ever corresponding to the change from threatening to promise, from exhortation to comfort, make a powerfully arresting and inimitable impression, which is further strengthened by the rhetorical parallelism of the clauses. In this respect, as in their diction generally, their style in many respects approaches poetry, though, except in parts of their prophecies which are really lyrical, the difference between prose and poetry is nowhere set aside.

(1) For more on the nature and form of Hebrew poetry, see in my *Lehrb. der Einleit. in d. A. Test.* § 107 and 108. Comp. besides, G. Baur, "Dichtkunst," in Riehm's *Hdwb.* i. p. 274 ff.; and Delitzsch, *Bibl. Comm. on the Psalms*, i. pp. 23–30; and on Proverbs. — The latest attempts to prove distinct metres in Hebrew poetry proceed from Jul. Ley, *Grundzüge des Rhythmus*,

des Vers- und Strophenbaues in der hebr. Poesie, Halle 1875; and G. Bickell, "Die hebräische Metrik," in *ZDMG.* Jahrg. xxxiv. and xxxv. (1880 and 1881); the same author's *Leitfaden der Metrik der hebr. Poesie,* Halle 1887.

§ 136. *Music, Singing, and Dancing.*

Instrumental music, the invention of which is ascribed in Gen. iv. 21 to Jubal, was from the earliest times associated with *singing* (Gen. iv. 20), and no doubt generally accompanied with *dancing* (Gen. xxxi. 27; Ex. xv. 20). In this connection it was used to heighten domestic joys (Gen. xxxi. 27), as well as to כָּבַד honour to public festivals (Ex. xv. 20, xxxii. 6, 18 f.; 1 Kings i. 40 f.), and glorious national events (1 Sam. xviii. 6), especially by the women of Israel. It was also practised, however, at all times by youths and grown men, and not unfrequently abused at festal entertainments to increase the revelry (Isa. v. 12, xxiv. 8; Amos vi. 5). Singing and playing belonged also to the joys of royalty (2 Sam. xix. 36; Eccles. ii. 8); and even on occasion of mourning solemnities, singing and flute-playing were used (Jer. ix. 16; 2 Chron. xxxv. 25; Matt. ix. 32).

Music and singing received a higher and nobler destination by their introduction into divine service.—Of primitive origin, and common to almost all peoples of antiquity, is the custom of celebrating national feasts in honour of the Deity with music, song, and dance. We find the custom among the Israelites at the Red Sea, where a choir of women with timbrels and in dances, led by Miriam, took part in the song of Moses, and the people by antiphonal repetition of the chief thought of the refrain (Ex. xv. 20). But Moses brought music into closer connection with the sacrificial worship, by commanding that the priests should blow the silver trumpets, prepared for theocratic purposes, on occasion of all burnt and thank offerings as a memorial of them before Jehovah (Num. x. 2 ff.). It was David, however, who first raised song and stringed music to an integral part of the regular worship. He committed the execution of the psalm-singing adopted in worship, to Levites skilled in music and singing. These, divided under special masters of song (מְנַצֵּחַ) into three choirs,

professionally studied and exercised (1 Chron. xvi. 4 ff., xxv. 1 ff.) the art of singing and playing on the harp, lute, and cymbals (1 Chron. xxv. 1, 6).—The schools of the prophets founded by Samuel also applied themselves to music, to dispose the soul to receive the influences of the Divine Spirit (1 Sam. x. 5; comp. 2 Kings iii. 15).

As to the character of the *temple music* and the degree of perfection to which sacred song with its musical accompaniment was developed, we have not exact information (1). From the few hints in 1 Chron. xv. 19–22 and in several psalm inscriptions, thus much only can be gathered, that various airs and melodies were composed, with which the music must have been harmonized, though we must not think of harmony in the higher sense of the word, for not a trace can be found of the knowledge and use of musical notes. We are not, however, to think of the temple singing as limited to mere cantillation, but must suppose real melodies, for we dare not reason back from the character of the later synagogue singing to the singing of the temple with musical accompaniment. This singing was lost with the extinction of the theocratic life and the destruction of Solomon's temple, so that in the post-exilic temple worship only feeble remnants survived (Ezra iii. 10; comp. ii. 41 and 65; Neh. vii. 73, xii. 27 f., 36; Ps. cl.; Sir. xlix. 20 [18]), and to the Alexandrine translators of the psalms the musical terms used in the inscriptions had become unintelligible (2).

(1) Hence the various treatises on this subject give no satisfactory light. Still deserving of attention for its thoroughness is the treatise on Hebrew music by J. N. Forkel, *Allgem. Geschichte der Musik*, Bd. i. cap. 3, with a statement of the numerous writings on the subject, p. 173 ff. Therewith comp. Winer, *R. W.*, art. "Musik;" and Leyrer in *PRE.* x. p. 123 ff., where the more recent literature is given; and G. Schilling, *Encyklop. der gesammten musikal. Wissenschaften oder Universal-Lexicon der Tonkunst*, Stuttg. 1836, Bd. iii. p. 529 ff.

(2) From 1 Chron. xv. 20, 21, where the expressions עַל־עֲלָמוֹת and עַל־הַשְּׁמִינִית, "according to virgins," and "according to the octave," occurring beside musical instruments, undoubtedly denote different airs, Schilling, *ubi supra*, p. 535, draws the not improbable inference: "The virgins' (boys') voice, which Alamoth denotes, and which was therefore the same as what

we call soprano, which as a rule leads the melody, was undoubtedly only accompanied by the men's voices in the deeper octave, which was also done by instruments, each according to the character of its tone, and at the most with a harmonious mingling of fourths and fifths." Further, the same author, p. 536, rightly observes: "Of the *enharmonic* and *chromatic* genus, the Hebrews in David's time—and this was the most flourishing period of Hebrew music—could know absolutely nothing; for, on the one hand, the enharmonic genus was invented much later, and on the other hand, if we were disposed to carry the chromatic as far back as the age of David, we are prevented by the Lacedæmonians, among whom it first arose. Accordingly, they had only the *diatonic*."—The Masoretic accents served to determine modulation of the voice in cantillating the psalms in the synagogues. But that they are not at all musical notes of the ancient Israelites, is clear from the late origin of the Masoretic system of accents.—Comp. also Riehm's *Hwb.*, art. "Musik."

Dancing (חוּל, מָחוֹל) was always a favourite social pastime among girls and women (Jer. xxxi. 4), imitated by children playing on the street (Job xxi. 11 f.; Matt. xi. 17; Luke vii. 32), and was engaged in by female companies in honour of national joys, especially of victories (1 Sam. xviii. 6) and religious festivities (Ex. xv. 20; Judg. xxi. 21). On such occasions, at least in more ancient times, men also testified the joy of their hearts by dancing (2 Sam. vi. 5, 14) (3). The dances probably consisted only of circular movements with artless rhythmical steps and lively gesticulations, the women beating cymbals and triangles (Judg. xi. 34), even when at national festivities other instruments were played (Ps. lxviii. 25, cl. 4).—Of public female dancers, such as are frequently found in the modern East, there is not a trace to be found in Old Testament times. Such dancing as that of Herodias' daughter before men at a voluptuous banquet (Matt. xiv. 6) was first introduced among the Jews through the influence of corrupt Greek customs.

(3) A religious meaning belonged also to the torch dance, which arose later, by men in the temple on the first evening of the feast of tabernacles (vol. ii. pp. 58, 59). The Therapeutes, also, according to Philo, ii. 485, had religious dances. Even the ancient Romans had such sacred dances, from which the Salii had their name (Ovid, *Fasti*, iii. 387; comp. Dougtæi, *Anal.*

ss. i. p. 152), whereas they held dancing as unworthy of respectable persons, and especially of men.—"Nemo fere saltat sobrius, nisi forte insanit," Cicero, *pro Mur.* 14.—It was otherwise with the Greeks, among whom Homer reckons singing and dancing as the seasoning of the meal; and in after times guests gave proof of their skill, not only in singing, but in dancing (comp. Hermann, *Lehrb. d. griech. Antiq.* iii. 1, § 53), though the Greek dance was understood and practised as an art, as mimetic in the wider sense. Comp. Becker, *Charikl.* i. p. 185 ff.

§ 137. *Musical Instruments.*

Simple stringed and wind instruments were brought by the fathers of the Israelites from Chaldea (Gen. iv. 21, xxxi. 27). The rest may have become known to the Israelites in Egypt, and perhaps been afterwards modified and perfected, though the form and nature of most of them are little known to us (1). —The various musical instruments (כְּלֵי שִׁיר) mentioned in the Old Testament fall into wind and stringed instruments, and those which are beaten or shaken.

1. Of *wind instruments* the *sack-pipe* (עוּגָב, a sort of bagpipe) is the oldest (Gen. iv. 21; Job xxi. 12, etc.), and was called by the Chaldeans *sumphonia* (סוּמְפֹנְיָה, Dan. iii. 5, 10), as at the present day in Italy the reed is named *sambonja* (2).—Next came the *flute* (חָלִיל), made of reed, wood, or horn; an instrument which was a great favourite among the ancients generally, used for joyful and mournful music (Isa. v. 12; Matt. ix. 23), but not employed by the Israelites in public worship (3). On the contrary, we find the *trumpet* (חֲצוֹצְרָה) used, according to the command (Num. x. 2 ff.), only for sacred purposes, and blown (in a blast תְּקַע, or long and loud הָרִיעַ) (4) by priests now, as a call to the congregation, again at the sacrificial worship, and on feast days.—The *horn* also, or trombone (שׁוֹפָר, *buccina*), with its dull, far-sounding tone, was blown only as a signal, and at general festivities, never for private purposes at household celebrations (5).

(1) The ancient Egyptians had all sorts of instruments in great variety of form, and that as proved by the monuments from the earliest times. Comp. Wilkinson, ii. p. 222 ff.; Hengstenberg, *BB. Mos. u. Æg.* p. 133 ff.; and Weiss, *Kostümkunde*,

i. p. 111 ff.—Instruments similar to most of those belonging to the ancient Israelites are still found in the modern East. Comp. Niebuhr, *Reisen*, i. p. 177 ff., mit Tafel 26 der Abbild.; comp. also Riehm's *Hwb.* under "Musik."

(2) The sack-pipe is still very common in Egypt and Arabia. It is called *Sumara el kurbe*, and is figured in Niebuhr, taf. 26 N. Pfeifer, *Musik der Hebr.* p. 48, wrongly understands by עוּגָב, *Pan's pipes*, an instrument consisting of several reeds of different length and thickness put side by side, which occurs among the Chaldeans under the name מַשְׂרוֹקִיתָא, *σύριγξ* (Dan. iii. 5), and is still much in favour with the shepherds of the East. Comp. Kæmpfer, *Amœn. exot.* iv. 740, with illustrations; and Russell, *Natural History of Aleppo*, i. p. 208.

(3) The use of the flute in public worship cannot be proved from Isa. xxx. 29; comp. 1 Sam. x. 5; 1 Kings i. 40. This is first mentioned in the Talmud as taking place in the second temple, and the special cases are prescribed. See fuller particulars in Delitzsch, *Bibl. Comm. on the Psalms*, i. p. 33, note 2. —As the flute was a favourite instrument with various ancient peoples (comp. Dougtæi, *Anal. ss.* ii. p. 12), the Israelites, like the ancient Egyptians (Wilkinson, ii. p. 232 ff.), Greeks, Romans, and modern Arabs (comp. Niebuhr, i. p. 180, with illustrations), had, no doubt, various kinds of it.

(4) It is only mentioned in the description of religious festivals. The two solitary places, Hos. v. 8 and 2 Kings xi. 14, cannot prove its use for other purposes. For Hos. v. 8 is only an application of Num. x. 9, and in 2 Kings xi. 14 the vague expression וְתֹקֵעַ בַּחֲצֹצְרוֹת does not refer to the preceding עַם הָאָרֶץ, but is to be limited to the trumpet-blowing priests. For the whole assembled people, though with Thenius we should understand thereby only all the men fit for war who were present in Jerusalem, could not be provided with trumpets. —The two trumpets made for the sanctuary were of silver (Num. x. 2). Afterwards the number was increased to more than a hundred (1 Chron. xv. 24; 2 Chron. v. 12), which, however, could hardly be all of silver. Their form was straight, not bent; this is shown by the representation on the triumphal arch of Titus (comp. Reland, "De spoliis templi Hieros. in arcu Tit.," etc.). On the old Egyptian monuments also only *straight* trumpets are found. Comp. Wilkinson, ii. p. 260 ff.; and Hengstenberg, *BB. Mos. u. Æg.* p. 134 f.—Josephus (*Antiq.* iii. 12. 6) describes them thus: *Μῆκος μὲν ἔχει πηχυαῖον ὀλίγῳ λεῖπον, στενὴ δ' ἐστὶ σύριγξ αὐλοῦ βραχὺ παχυτέρα, παρέχουσα δὲ εὖρος ἀρκοῦν ἐπὶ τῷ στόματι πρὸς ὑποδοχὴν πνεύματος, εἰς κώδωνα ταῖς σάλπιγξι παραπλησίως τελοῦν.*

(5) Credner, *On Joel*, p. 164 f., is mistaken in taking שׁוֹפָר and חֲצֹצְרָה for one and the same instrument. Not till after the destruction of Jerusalem did these two words begin to be confounded. The Shophar is described by Jerome on Hos. v. 8, thus: "Buccina pastoralis est et cornu *recurvo* efficitur, unde et proprie hebraice sophar, græce κερατίνη appellatur." On the contrary, according to Mischna *Rosch haschschana* ii. 3, it was sometimes straight, sometimes bent.—Horns among the ancients filled very much the place of our bells; comp. Dougtæi, *Anal. ss.* i. p. 99 sq.; and, generally, Winer, *R.W.* p. 124.

2. Of *stringed instruments* the Israelites knew only the *Kinnor* and *Nebel* (כִּנּוֹר וְנֵבֶל), both of which were played to songs of joy in social circles (Isa. v. 12, xxiv. 8), and from David's time they were played by the Levites to songs of praise in the sanctuary (Ps. xxxiii. 2, xliii. 4; 1 Chron. xiii. 8, xv. 20, etc.). The *kinnor*, κινύρα, κιθάρα (Luther, *Harfe*), was more like a guitar than harp, and was probably played, according to the peculiarity of its construction, with the hand or with the plectron (6). The *nebel*, νάβλα, *nablium*, ψαλτήριον, *psalterium*, psalter (Luther), a zither-like instrument with ten strings (נֵבֶל עָשׂוֹר, Ps. xxxiii. 2), corresponding to the Babylonian *pesanter* (Dan. iii. 5) and to the old Arab *santir*, was a low, longish chest with shallow bottom and a somewhat concave sounding-board, over which the strings of metal wire were stretched (7).

(6) Harps, guitars, and lyres are found represented on the Egyptian monuments in great number and variety. Comp. Wilkinson, ii. pp. 232 ff., 270 ff.—But since the *kinnor* was played while walking (1 Sam. x. 5; 2 Sam. vi. 5), it cannot have been a proper harp, but a sort of guitar or lyre, as represented in Wilkinson, ii. pp. 226 f. and 291, perhaps also like the zither in Niebuhr, *Reisen*, i. p. 177, taf. 26 *a–c*. According to 1 Sam. xvi. 23, xviii. 10, xix. 9, David played the kinnor with his hand; whereas Josephus (*Antiq.* vii. 12. 3) remarks: ἡ μὲν κινύρα δέκα χορδαῖς ἐξημμένη τύπτεται πλήκτρῳ· ἡ δὲ νάβλα δώδεκα φθόγγους ἔχουσα τοῖς δακτύλοις κρούεται, which held, no doubt, of the instruments of his time, but whether also of the Davidic kinnor?

(7) Jerome, *Prooem. comm. in Psalm.*: "*Psalterium* græcum est et latine *organum* dicitur quod Hebræi נבל nebel vocant." This instrument was like the kinnor. The difference is described by Augustine on Ps. xxxii. (xxxiii. 2, Hebr.) thus: "*Cithara*

lignum illud concavum tanquam tympanum pendente testudine, cui ligna chordæ innituntur, ut tactæ resonent . . . in *inferiore* parte habet, *psalterium* in *superiore*;" and on Ps. xlii. (xliii. 4, Hebr.): "Utrumque (cith. et psalt.) manibus portatur et tangitur, psalt. de superiore parte habet testudinem, illud sc. tympanum et concavum lignum, cui chordæ innitentes resonant. — Duo hæc organa habent inter se distinctam et discretam rationem."—Comp. on the *nebel*, Wetzstein on Delitzsch's *Comm. über Jesaj.* p. 702 f., d. 2 A., and engravings of the Babylonian *psanter* in Layard, *Nineveh and Babylon*, plate xiii. *a*.

Of the Babylonian stringed instruments mentioned Dan. iii. 5, vii. 10, קִיתָרוֹס = *κίθαρις* (Kri: קַתְרוֹס, LXX. *κιθάρα*, Vulg. *cithara*) is a sort of kinnor; the סַבְּכָא and יִשְׂבְּכָא, *σαμβύκη*, sambuca, was liker the nebel of the Israelites. According to Athenæus, the sambuca was a triangular harp-like instrument with four strings, which was played with the fingers, and had a sharp tone; comp. Gesen. *Thesaur.* ii. p. 935. Almost all the instruments mentioned Dan. iii. 5 ff. are found represented on Assyrian sculptures, especially on those of Kojundschik; comp. Weiss, *Kostümkunde*, i. p. 248 f. — Bow instruments were unknown to the Israelites.

3. Of instruments *beaten* or *shaken*, the *hand-drum* (תֹּף, LXX. *τύμπανον*, Luth. *Pauke*, the so-called tambourine, Spanish, Aduffa) is a wooden or metal hoop of about a hand-breadth, having a skin drawn over it, in which there are often fastened thin round plates of metal; a very ancient instrument still widely spread in the East, which is used specially by women in dancing and singing, being struck with the fingers to keep time.—Equally widespread and popular from high antiquity are the cymbals or castanets (צֶלְצָלִים or מְצִלְתַּיִם), which are beaten with the hand by women while dancing, much used also among the Israelites by men (2 Sam. vi. 5). They were also introduced by David into the temple-music conducted by Levites (1 Chron. xxv. 1, 6; 2 Chron. v. 12 f.). Finally, mention is made only once of the *triangle* (שָׁלִשִׁים, Luther, *Geigen*, 1 Sam. xviii. 6 [A.V. tabrets]), as beaten by women along with the tambourine, and at the bringing in of the ark (2 Sam. vi. 5) of the *sistra* (מְנַעֲנְעִים, *σείστρα*, *sistra*, Luther, *Schellen*), *i.e.* iron rods forming two right angles, round or bent above, hung with a few loose rings, which, when shaken, make a tinkling sound (8).

(8) Representations of old Egyptian female dancers with

tambourines, in Wilkinson, ii. pp. 240 and 254; of castanets or cymbals, *ibid.* p. 255; of various forms of the sistrum, pp. 323 and 325.—Modern Egyptian dancers with small castanets at their fingers are represented in Niebuhr, *Reise*, i. 184, taf. 27. Comp. also Lane, *Manners and Customs*, etc. ii. p. 95, illustration 25.—The cymbals used in the temple music were larger, according to Joseph. *Antiq.* vii. 12. 3: κύμβαλα ἦν πλατέα καὶ μεγάλα χάλκεα.—The triangle is called by Athanasius (iv. 175) a Syrian invention.

§ 138. *Constructive and Plastic Arts.*

Of these, *architecture* certainly takes the first place among the Israelites, for the temple of Solomon undoubtedly ranks with the most important structures of antiquity. A Phœnician artist directed the execution of this building and of the works of art in metal. But this temple, the main forms of which were determined by divine revelation (1 Chron. xxviii. 11–19), bears, neither in plan and structure nor in its emblems, a Phœnician, but in all its parts the true Israelitish theocratic character. What it has in common with the Phœnician style and that of Western Asia in general, is only the inner covering of its walls with artistic wainscoting and gilding (1), while the sculpture thereon shows only the cherubs, palms, and flowers suitable to the theocracy and the land of Canaan. Even on the artistic furniture of the temple, besides the emblems named, only oxen are found as sacrificial animals. Comp. the description in § 23–25. Another peculiarity common to the Israelites with the Phœnicians, seems to have been the bevelling of the stones in all their great buildings (2).—Of the other ancient structures, the palaces of David, Solomon, and other kings, we have neither remains nor particular descriptions. Even of the magnificent castellated palace of Solomon, the so-called house of the forest of Lebanon, with its judgment-hall and throne, and its apartments for the king and queen, we have indeed, in 1 Kings vii. 1–12, the dimensions, with the rows of cedar pillars and great stones; for the rest, however, the description is so short, obscure, and perhaps here and there, in the Masoretic text, corrupt, that it is impossible to make out clearly the style and construction of the buildings (3).—From later times we have no account of great

buildings, till Greek taste gained an entrance among the Jews under the Maccabees; and afterwards the Herodians especially took great pains to erect monuments of their sovereignty in the form of magnificent structures (4).

(1) The view still expressed by Stieglitz, *Gesch. der Baukunst*, new ed. p. 117, maintaining an imitation of Egyptian art, is wholly unfounded, and is rightly set aside by Schnaase, *Gesch. der bild. Künste*, i. p. 248, as destitute of any convincing proof. But neither can the opinion of this learned author, p. 249, comp. 238, maintaining the closest agreement of the architectural style of the Jews with that of the Phœnicians, be established, either from the fact that Hiram sends a master-builder to Solomon, or from the practice common to both peoples of "employing costly wood and metallic ornaments." For the use of such material does not prove any agreement in *style*, and as little does the native country of the builder, if he does not draw up the plan and construct the buildings according to his own ideas, but has to carry out the work according to a given plan.

(2) This bevelling in the ancient remains of the wall enclosing the temple area and the whole Haram was first clearly pointed out by Robinson, *Palestine*, i. p. 286 f., and elsewhere, and described as an example of a special style of Jewish architecture. Later, this peculiarity was also found in remains of old Phœnician walls. "Bevelled stones of the like character," says Robinson, iii. p. 329 f., "have since been brought to light in the vast ancient ruins of Baalbek and other temples of Lebanon; in the earliest substructions and walls of the great fortresses of esh-Shûkif, Hûnîn, and Bâniâs; in the old wall of Tyre; and in the antique remains at Jabeil and on the island Ruwâd, the ancient Aradas. All these circumstances go to show that this was a feature of architecture common in those ages throughout Palestine and Phœnicia, but which, so far as appears, has never been found in any country west of Palestine, nor elsewhere in any connection with the early architecture of Egypt, Greece, or Rome. It may have been Phœnician in its origin, and introduced among the Jews by Hiram or other architects from Tyre, but that it was a *peculiarity* in the architecture of the country there would seem to be little reason to doubt."—Comp. herewith the explanation regarding the area of Solomon's temple in § 23, note 2. Since, according to what is there remarked, it is very doubtful whether the enclosing wall of the present Haram is to be traced to Solomon, its artistic bevelling cannot be carried back to the Phœnician builder Hiram, but can only be regarded, with Diestel ("Bau-

kunst," in Riehm's *Hdwb.* i. p. 154), as a device native to those regions from ancient times.

(3) From the biblical text so much is clear, that this palace consisted of a group of connected buildings; in the foreground the arsenal or armoury, an oblong 100 cubits in length and 50 in breadth, enclosed by walls of large hewn stones. Inside the walls, four rows of pillars running round enclosed an open court, and three storeys with chambers were supported by cedar pillars rising one above another. Adjoining this was the throne and judgment-hall, and behind or within it, in a second court, the dwelling-house for the king and his Egyptian consort. Comp. besides my commentary on 1 Kings vii. 1 ff., especially Thenius on this passage, who—certainly not without various emendations of the text—has sought to give a clear idea of these buildings, and to illustrate it with a ground-plan.

(4) Comp. the collection of notices in Josephus regarding these structures, which have no particular style in Winer's *Bibl. R.W.*, art. "Baukunst."

With architecture are closely connected *sculpture* and the *plastic art*, or figure-making in wood and metal. So early as the ark we find two golden cherubs; in Solomon's temple there were besides two colossal gilded cherubs of olive wood in the holiest of all; the wainscoting of the inner walls of the holy place is adorned with gilded carvings of palms, cherubim, and flowers, and the larger brazen vessels of the temple are furnished with figures of animals in various forms (comp. § 23 f.); also, on the steps of Solomon's throne lions stand on both sides (1 Kings x. 19 f.). Hence, if the Mosaic law strictly forbade the making of images for worship (Ex. xx. 4 f.; Deut. iv. 16 ff., xxvii. 15), the development of the plastic art generally was not interdicted by this prohibition. It was only confined within certain bounds in which it was free to develop itself. And even the prohibition of image-worship was frequently transgressed (comp. § 90). But this very transgression, and the infliction of the punishment with which the prophets threatened idolaters (Isa. xliv. 9 ff.; Jer. x. 3 ff., etc.), had this effect, that the post-exilic Jews extended the Mosaic prohibition to all manner of images, and would not only have none of them in the temple, but refused to allow any statues in palaces (5).

(5) Comp. Josephi *Antiq.* xvii. 6. 2, and *de bell. jud.* ii. 10. 4, where a Jewish deputation represents to the General Petronius:

ὡς οὐδὲ Θεοῦ τι δείκηλον, οὐχ' ὅπως ἀνδρός, οὐ κατὰ τὸν ναὸν μόνον, ἀλλ' οὐδὲ ἐν εἰκαίῳ τινὶ τόπῳ τῆς χώρας θέσθαι θεμιτὸν εἴη. Still more decidedly is every image rejected by the Rabbins, even in the way of architectural ornamentation; comp. Hottinger, *Jur. Hebr. leg.* xxxix. p. 51 sq.—Hence the Jews would not allow the Roman soldiers to march into Jerusalem with the Emperor's image on their eagles. Joseph. *Antiq.* xviii. 3. 1, and 5. 3; *de bell. jud.* ii. 9. 2. Comp. also Winer, *R.W.*, art. "Bildnerei."

Finally, *painting* seems to have remained altogether undeveloped. It is only mentioned in the Old Testament in connection with idolatry in Ezek. viii. 10, where pictures of reptiles and other unclean animals painted on the wall in the chambers of the gateway to the court of the priests are shown to the prophet in vision. Comp. also Ezek. xxiii. 14. Accordingly this art was only pursued in secret as an imitation of heathen ways; but in the theocracy itself it had no soil on which it could flourish.

THIRD DIVISION.

STATE RELATIONS.

§ 139. *The State in its Fundamental Elements.*

Human society with its manifold relations and bonds, uniting them into communities and peoples, is not the result of agreements or common understanding. It rests on normal conditions and radical bases, which God established in creation to guide the development of the race to its destined goal. With the institutions of nature the Divine Wisdom laid down fixed ordinances, not only for the reciprocal intercourse and attitude of men to one another, whether individuals or smaller or larger communities, but also for their dealing with the earth, with its possessions and products, made over to them by the Creator at once for the support of their existence and for the fulfilment of their life-work.—God created the human race, not as a multitude of individuals with power to propagate and increase, but as husband and wife, and by the institution

of marriage He founded a moral and equitable social relation for the forming of families, in which the husband is to be head both of the wife and of the children from their marriage. This divine institution contains the germ for the development of humanity in organized communities, with which the increase and spread of families naturally form themselves, on the one hand into races and peoples, on the other into civil communities in the orderly associations of the commonwealth and kingdom. Similarly God not only gave over to men the earth with its products to supply their necessities, but at the same time committed to them the cultivation of its soil and the subduing of its creatures, and by this ordinance laid the foundation for their acquiring legitimate property, not merely to sustain life, but to further and fulfil its individual and common ends (1).

Not only is all civil order among men and peoples rooted in these God-appointed relations (2), but all right on the earth, whereby human society is supported and regulated. These relations form the main pillars for the organization of national life and of the life of different peoples under State and Imperial constitutions, whereby the external moral order of the world is founded and preserved, and thus the development of the human race is guided to the goal appointed by the Creator.

(1) To these relations and bonds on which the existence of the human race as a whole depends, the following are reckoned by Stahl, *Philosophie des Rechts*, ii. p. 163:—"(*a*) *The preservation of the individual's existence:* integrity and freedom of the person, protection in the obtaining and use of his means of subsistence (property). (*b*) *The expansion from the individual to the kind:* the organic bond of propagation, raised in the moral sphere to a bond of will, and hence to the perpetual interest of individuals in one another—the *family*. (*c*) *The kind in its existence as a totality:* the completing of the kind by the mutual action of its parts—*community, rank,* and *corporation,* and their common, higher subjection to ideas and aims as a morally intellectual kingdom—the *State* and the *community of States;*" and on these he remarks, p. 164: "They are a great interwoven institution of nature, whereby the human race is preserved, and when raised to their ethical perfection, they are the moral world, the goal of man's earthly being."

(2) "A so-called *state of nature* neither preceded the civil

order in point of fact, nor is it to be scientifically presupposed, as if, starting from it as a *terminus a quo*, we had first to discover the latter." Stahl, *ubi supra*, p. 172 f.—But as little is the State a natural production of the family or a result of the widening of the family into clans and tribes, so that the head of the family became the chief of all the clans and tribes of a people. Still less did it arise through the violence of individuals, though from Nimrod's days many kingdoms and States were founded by the conquest of lands and subjugation of peoples. The State as the rightful order and form of national life arose historically, under the guidance of Providence, out of the moral and equitable conditions of each people. Comp. Luthardt, *Vorträge über die Moral des Christenthums*, p. 124 ff., with the notes, p. 251 ff., 2nd ed. — Even the tribes of Israel first became a State or kingdom when God raised up for them a deliverer from the bondage of Egypt in the person of Moses, and in Joshua and the Judges leaders and deliverers from hostile oppression, and finally in Saul and David and his posterity, gave the kings who united into one kingdom the twelve tribes according to the ordinances of the divine law and the historical development of the whole national life. On this point, comp. Franz Eb. Kübel, *Die soziale und volkswirthschaftliche Gesetzgebung des A. Testaments unter Berücksichtigung moderner Anschauungen dargestellt*, Wiesb. 1870.

FIRST SECTION.

THE CONSTITUTION OF ISRAEL.

FIRST CHAPTER.

THE CIVIL CONSTITUTION.

§ 140. *The Classification of the People of Israel.*

Israel forms, in virtue of its descent from the twelve sons of Jacob or Israel, a great family, the house of Israel (בֵּית יִשְׂרָאֵל or בֵּית יַעֲקֹב), which falls genealogically into *tribes* (שְׁבָטִים, מַטּוֹת (1), *φυλαί*, *tribus*), *clans* (מִשְׁפָּחוֹת, *δῆμοι*, LXX. *gentes*), *families* or *fathers' houses* (בָּתִּים, בֵּית אָבוֹת, *οἶκοι πατριῶν*, *familiæ*), and *men* (גְּבָרִים), *i.e.* fathers with wife and child. This classification of the people is most clearly given in Josh. vii. 14, 16–18; it came about naturally with the progressive

increase of the children of Israel in Egypt in successive generations. The *tribes* were founded by the twelve sons of Jacob as the tribal fathers of the people, the *clans* by Jacob's grandchildren, and the *families* or *fathers' houses* by his great-grandchildren, the latter further branching into individual heads of houses with their belongings and descendants, wives, children, grandchildren. But this series of members, corresponding to the natural course of generations, was not strictly observed. The two sons of Joseph, born before Jacob's removal to Egypt, were raised to the position of heads of tribes, being adopted by the patriarch as his sons (Gen. xlviii. 5). Thus, strictly speaking, there arose thirteen tribes, though only twelve are uniformly reckoned (*e.g.* Ex. xxiv. 4; Josh. iv. 2 ff., etc.), because Levi, as entrusted with the service of worship, occupied a mediatorial position between the people and Jehovah, and consequently also received no continuous portion in the land of Canaan, no special tribal territory (Josh. xiii. 14, 33). Hence as a rule it is not numbered with the rest (Num. xvii. 21; Josh. xiii. 7 f.); when this occurs, Ephraim and Manasseh are included together as the tribe of Joseph (Num. xxvi. 28, comp. ver. 57; Josh. xvi. 1, 14, 17). —The *clans*, too, were founded from the beginning, not only by Jacob's grandchildren or the sons of his own and his adopted sons, but partly also by the grandchildren and great-grandchildren of the twelve heads of the tribes. Of the fifty-seven clans enumerated in Num. xxvi., into which the twelve tribes were divided in the last year of the march through the wilderness, there are belonging to Judah two clans formed by his grandchildren, the sons of Perez (ver. 21); belonging to Manasseh, a clan founded by his grandson Gilead, and besides, six clans by Gilead's sons or Manasseh's great-grandsons (vv. 29–38); belonging to Ephraim, a clan founded by his grandson Eran, the son of Shuthelah (ver. 36); belonging to Benjamin, two clans by his grandchildren, the sons of Bela (ver. 40); and belonging to Asher, likewise two clans by his grandchildren, the sons of Beriah (ver. 45). On the other hand, several of those enumerated, Gen. xlvi., among the grandsons of Jacob, the founders of clans, are wanting in that list, Ohad (Simeon's son), Er and Onan (Judah's sons), Ishuah (Asher's son), and Becher, Gera, and Rosh (Benjamin's sons), comp. vv. 10, 12,

17, 21, probably because in some instances they themselves, as is related of Er and Onan (Num. xxvi. 19), in others their sons, died without male offspring, so that their clan was extinct even in Moses' time.—Similarly we must conceive of the formation of those groups of families designated as *fathers' houses.* We may take it as certain, that of the descendants of Jacob the founders of clans, not only the sons, but also the grandsons and great-grandsons established fathers' houses, though on this point we have no clear statements in the Old Testament.

Only the principle remains doubtful, according to which in these cases not only sons, but grandsons and great-grandsons were raised to be founders of clans and fathers' houses (2). The ground of it can hardly be sought in the larger number of sons and grandsons with which some fathers were blessed above others. For the tribe of Dan, next to Judah the most numerous in Moses' time, which at the first census has 62,700, at the second 64,400, men fit for war, forms only a single clan called from Dan's son (3) (Num. xxvi. 42); and taken generally, the strength of the single clans reckoned by heads of males is extremely various (4). The distinction between clans and fathers' houses seems from the first not to have followed any fixed and uniform principle (5). Hence the use of the words: clans [families] and fathers' houses, is relative and variable (6). The latter especially is clearly used in two senses. Father's house (בֵּית אָב) is a technical expression denoting the larger subdivisions or family groups into which the clans fell. But every tribe and portion of a tribe not only proceeded from a common father's house, but continued to retain its ancestral house in that of the first-born as the natural head of the tribe, or larger or smaller portion thereof. Hence the name also denotes *that* family which had the primacy in every tribe, clan, and larger or smaller family group, or *that* house which belonged to the father of the tribe or his representative in each larger or smaller division of the people. Thus the twelve tribes not only had their common father's house in the house of Jacob, and after his death in that of Judah, to whom the patriarch transferred the primacy, but every tribe also had its own father's house for its members and descendants in the house of the first-born, who ruled and represented the tribe. Similarly every clan, every family

group, not only had its common, but also its special father's house in the first-born, as the natural head and representative of the community in question (7).

The fathers who by right of birth stood at the head of tribes and portions of tribes were called *princes* (נְשִׂיאִים, Ex. xxxiv. 31, xxxv. 27, etc.), or *princes of Israel* (Num. i. 44, iv. 46, etc.), and as representing the people *princes of the congregation* (נְשִׂיאֵי הָעֵדָה, Num. iv. 34, xxxi. 13, xxxii. 2; Josh. xxii. 30, etc.), or *heads* (רָאשִׁים). These names were given not only to the twelve princes of tribes (נְשִׂיאֵי הַמַּטּוֹת, Num. vii. 2; רָאשֵׁי הַמַּטּוֹת, Num. xxx. 2; רָאשֵׁי שִׁבְטִים, Deut. v. 20), but also to the heads of clans and smaller subdivisions. To the latter, however, the name נָשִׂיא, Num. iii. 24, 30, etc., is seldomer applied, commonly רֹאשׁ. Thus under heads of fathers' houses (רָאשֵׁי בֵית אָבוֹת), we have to understand, not only the heads or representatives of the subdivisions of the clans (Ex. vi. 14; 1 Chron. v. 24), but frequently the tribal heads of all grades, or the heads of all the various classes who represented the people in the cases in question, including the princes of tribes properly so called.

From the various, mostly incidental notices of the Old Testament regarding the classification of the people of Israel, it is perfectly clear that the division into tribes remained unchangeable. In the great catastrophes experienced by the nation in the times of their dispersion it lost its meaning no doubt, and from the exile downwards it was more and more effaced through the loss of genealogical tables, and for many generations completely obscured, but it was never changed (8). But the subdivisions within the tribes underwent many alterations. Clans and fathers' houses died out or were extinguished by wars, and in their place came new relationships and divisions, which cannot be traced in detail (9).

(1) מַטֶּה denotes the tribe in its genealogical branches, שֵׁבֶט is the totality of those who are under one sceptre. Comp. my biblical comment. on Josh. vii. 1.—The tribal division is found among many ancient peoples, Edomites, Ishmaelites, Arabs, etc. Comp. Winer, *R. W.* ii. p. 513. And in the Athenian commonwealth the φυλαί were divided into φρατρίαι and γένη. Comp. Wachsmuth, *Hellen. Alterthk.* ii. p. 351 ff.

(2) The reason for this given by M. Baumgarten, *Theol. Comm.* ii. p. 383, is, that Joseph so long as he lived, the saviour

and lord of the house of Israel, saw and blessed the descendants of Manasseh and Ephraim, enumerated Num. xxvi., and thereby raised them according to his privileged position to the honour of heads of families. But this reason is unsatisfactory, because, (*a*) it neither explains the exaltation of the grandsons of the other patriarchs to the rank of heads of clans, nor (*b*) does it agree with Gen. l. 23. For according to this passage Joseph saw Ephraim's sons to the third generation, whereas in the case of Manasseh only the sons of Machir were born on his knees; while according to Num. xxvi. 29 ff., 36, his sons to the third generation, Ephraim's only in the second generation, founded clans.

(3) Who is called in Gen. xlvi. 23, חֻשִׁים, in Num. xxvi. 42, according to another form of the name, שׁוּחָם; so that in Judg. xiii. 2, xviii. 11, we read of the *clan* [family] of the Danites (מִשְׁפַּחַת הַדָּנִי).

(4) Thus, *e.g.*, the five clans of Judah have 76,500, the four of Issachar 64,300, the three of Zebulun 60,500, the four of Ephraim 32,500, the seven of Benjamin 45,600, and the five of Simeon only 22,200 men fit for war. Accordingly, apart from the clan of the Danites, the average strength of a clan varies from 4000 to 20,000 men.

(5) Apart from the fact, that in the tribes of Reuben, Simeon, Gad, Issachar, Zebulun, Dan, and Naphtali, clans are founded only by the sons of these patriarchs, on the contrary in Judah, Ephraim, Benjamin, and Asher by sons and grandsons, lastly in Manasseh by sons, grandsons, and great-grandsons, there is this striking difference, that in all these tribes *those* sons, whose sons found new clans, have themselves also a clan; on the other hand, in the tribe of Levi the sons found clans, which exist only in the clans of their sons or the grandsons of Levi. Thus Judah's son Perez founds the clan of the Perezites, and likewise by his sons Hezron and Hamul the clans of the Hezronites and Hamulites (Num. xxvi. 20 f.). Machir the son of Manasseh founds the clan of the Machirites, but likewise through his grandson Gilead, the son of Machir, the clan of the Gileadites, and through his great-grandsons, or Gilead's sons, six other clans (vv. 29–32). In these and similar cases the clans founded by the sons, Perezites, Gileadites, etc., are not merely comprehensive designations of the clans founded by the sons of Perez, Gilead, etc., so that the clan of the Perezites existed only in the clans of the Hezronites and Hamulites, that of Machir only in the clan of the Gileadites, and that of the Gileadites only in the six clans of Gilead's sons; but in addition to both clans of the Perezites, Hezron and Hamul, there was a separate clan of Perezites; and in addition to the six clans founded by Gilead's sons, there was a separate clan of Gileadites, and besides this another clan of

Machirites. This is put beyond doubt by what is said regarding the tribe of Manasseh. According to Josh. xiii. 29 ff., the half tribe of Manasseh, *i.e.* "the half of the sons of Machir according to their clans" (ver. 31), whose seven heads are named in 1 Chron. v. 24, received its inheritance in Gilead and Bashan, because Jair (1 Chron. ii. 21 f.), the grandson of a daughter of Machir by Nobah, had conquered the land of Bashan (Num. xxxii. 40 ff.; Deut. iii. 14); and according to Josh. xvii. 2 ff. "the rest of the children of Manasseh," *i.e.* the six clans founded by Gilead's sons or Machir's grandsons (comp. Josh. xvii. 2 with Num. xxvi. 30 ff.), have their inheritance allotted to them on this side Jordan. Thus, besides his son Gilead, Machir had at least one daughter, and according to Gen. l. 23 other sons, whose children and descendants formed that clan of Machir which existed side by side with the clans of the Machirites founded by his son Gilead. Accordingly we may assume, that in general, where separate clans are named from the father and son, that of the father named along with that of the son consisted of the families of those other sons and daughters who are not expressly mentioned.—It was otherwise with the clans of Levi. Here the clans of the Gershonites, Kohathites, and Merarites, named from the three sons of Levi, consist only of the clans formed by the sons of Gershon, Kohath, and Merari, or Levi's grandchildren. The clan of the Gershonites consists only of the clans of the sons of Gershon, Libni, and Shimei; that of the Kohathites only of the clans of the sons of Kohath, Amram, Izhar, Hebron, and Uzziel, etc., but not side by side with them (comp. Num. iii. 17 ff. with Ex. vii. 16 ff.). For in Num. iii. 15–39 we read only of *clans* of Gershonites, Kohathites, and Merarites, nowhere of a *clan* of Gershonites, etc. (only of מִשְׁפְּחוֹת, vv. 21 f., 27, 29, 33 f., not מִשְׁפַּחַת גֵּרְשֹׁנִי וגו׳). Besides there is mention in Num. xxvi. 58 of a clan founded by Korah, and frequently of priestly clans. Thus Korah, the son of Izhar, the son of Kohath, and so a great-grandson of Levi, founded a separate clan; while Aaron with his sons founds the priestly clans, because by having the priesthood committed to him and his descendants, he was raised above his ancestral tribe.

(6) Thus in Josh. vii. 17, מִשְׁפַּחַת יְהוּדָה stands for שֵׁבֶט יְהוּדָה, ver. 16; and in Num. xxvi. 28 we have: "The sons of Joseph after their *clans* are Manasseh and Ephraim," whereas they do not found clans of Joseph, but tribes of their own.

(7) The non-recognition of this twofold use of בֵּית אָב and בֵּית אָבוֹת has given rise to various misunderstandings. Thus Clericus and Rosenmüller on Num. i. 1, and Knobel on Ex.

vi. 14, thought that *Beth-Aboth* was "not at all a *terminus technicus* for a definite community having a certain relationship between its members," but embraced sometimes more, sometimes less, and was used both of the Israelitish tribes and of the larger and smaller divisions of them. On the other hand, Saalschütz, *Mos. Recht*, p. 32, and Kurtz, *History of the Old Covenant* [Eng. tr. ii. p. 165 ff.], translate בֵּית אָבוֹת, "father's house" (in the singular), and so maintain that the word denotes either *always* (Saalsch.) or *in most cases* (Kurtz) the whole tribe, and is only here and there by way of eminence the "designation of all Jacob's posterity" or "of the whole congregation." This view rests, as will appear afterwards, on a pure misunderstanding of the use of the word, and requires violence to be applied to a whole series of passages, without getting rid of the difficulties which beset it. According to it, the *Mishpachoth* are subdivisions of the *Beth-Aboth*, and "the tribe or Beth-Aboth fell into as many clans as the father of the tribe had sons" (Kurtz, ii. 169), for "a *Beth-Aboth* embraced in it several *Beth-abs.*" But the subordination of *Mishpachoth* to *Beth-Aboth* is proved false by the passage 1 Chron. xxiii. 10, according to which two sons of the Gershonite clan Shimei are reckoned to a *Beth-ab*, where consequently *Beth-ab* is clearly a subdivision of the *Mishpachah*. This instance cannot be weakened, as Kurtz seeks to do, by the arbitrary remark, that the passage thus regarded "involves an undisguised and irreconcilable discrepancy with Num. iii. 24, where Gershon himself is the founder of a *Beth-ab*, and the Mishpachoth subordinate to it are founded by his sons" (ii. p. 171). For this assertion rests on a complete misunderstanding of the words: "the prince of the *Beth-ab* of the Gershonites (not of Gershon) was Eliasaph;" Kurtz identifies Gershonites with Gershon, and further fails to see that in Num. iii. 15–39 the children of Levi are not reckoned in ver. 17 according to the *house of their fathers*, and in vv. 18–20 according to their *clans;* but in ver. 17 only the *names* of the three *sons* of Levi, and vv. 18–20 only the *names of the sons* of Gershon, Kohath, and Merari, who founded clans, are given. Kurtz has confounded the בִּשְׁמֹתָם in ver. 17 with בֵּית אֲבֹתָם, and erroneously understood the words, ver. 20: "These are the clans of Levi according to their *Beth-Aboth*," as a closing formula; whereas they form a preface to the following enumeration of the clans of the Gershonites, Kohathites, and Merarites.

To these must be added two other passages. If in Num. xxxvi. 1 the *Mishpachah* of the sons of Gilead has a plurality of heads of *Aboth* or *Beth-Aboth* (רָאשֵׁי אָבוֹת); if in 1 Chron. vii. 7 the *Mishpachah* of the Belaites has five heads of *Beth-Aboth;*

if in 1 Chron. vii. 40 a number of Asher's posterity are reckoned as heads of *Beth-Aboth*,—it follows from these passages, naturally and necessarily, that each of these clans had several father's houses, and consequently the *Beth-Aboth* were parts or divisions of the *Mishpachoth*. Kurtz evades this conclusion by saying that in these and similar passages בית אבות stands for מַטֶּה, and denotes the *tribe*, and that princes of the *tribe* denotes not the heads of, but heads in the tribe. But this view will remain untenable so long as this meaning is neither supported by analogies, nor the signification "tribe" is *proved* for בית אבות. The expression נְשִׂיאֵי הָעֵדָה, frequent in the Pentateuch, cannot pass as an analogy, because it does not denote princes *in* the congregation, but "the princes of the congregation." The meaning *tribe* for בית אבות can as little be proved from Num. i. If the same persons who appear in ver. 4 individually under the name *head of his Beth-Aboth* (רֹאשׁ לְבֵית־אֲבֹתָיו) are here designated together, in ver. 16, as "princes of the tribes of their fathers" (נְשִׂיאֵי מַטּוֹת אֲבֹתָם), it does not follow "necessarily that fathers' house and fathers' tribe are identical;" no more does it follow from the formula recurring in this chapter at the summing up of each tribe: "Of the children of Reuben (Simeon, etc.), and their generations by their clans, by their *Beth-Aboth*, were, according to the number of the names, so many" (vv. 20, 22, 24, 26, etc.), that the *Mishpachoth* are subdivisions of the *Beth-Aboth*. The "conclusiveness" of this argument is held to lie in the singular בֵּית אָבוֹת, used without exception along with the plural מִשְׁפָּחוֹת. But that בית אבות is not a singular, but the plural of בֵּית־אָב, is clear from the following passages: in Num. i. 2: "Take the sum of all the congregation of the children of Israel, by their clans, by their בית־אבות, according to the number of the names," etc., לְבֵית אֲבֹתָם cannot be understood and translated as a singular: "according to their tribe," because the whole congregation did not form *one*, but twelve tribes. Similarly, in ver. 45 f., where, after enumerating the men of all the twelve tribes, the total number of the people is comprehended in the formula: "All they that were numbered of the children of Israel לבית אבתם, *i.e.* by their (formerly separately reckoned) father's houses . . . 603,500 men." But if in these verses, introducing and closing the numbering of the people, the בית אבות cannot be singular, and cannot denote the tribe, neither can this meaning be imposed on the word in the intervening enumeration of the tribes taken singly. Here, also, unless rein is to be given to pure arbitrariness, the uniformly recurring formula: לְמִשְׁפְּחֹתָם לְבֵית אֲבֹתָם, must be uniformly understood in the same sense.

As little does בית אבות anywhere denote the whole people, or the totality of the twelve tribes, the house of the twelve sons of Jacob, or of all Jacob's posterity. The passages (Ex. vi. 14 and Num. xvii. 17) by which Kurtz seeks to prove this meaning, when rightly understood, not only afford no proof, but show that to take בית אבות as singular: "fathers' house," instead of as plural: "father's houses," is wholly unwarranted. In the words: these are the heads of their father's houses (Ex. vi. 14), בֵּית־אֲבֹת could not possibly be interpreted of the "house of the twelve sons of Jacob," unless, with Clericus, Vater, de Wette, and other adherents of the long exploded fragmentary hypothesis, we detach the genealogy to which ver. 14 forms the introductory inscription from the connection in which it stands, and make it a "genealogical fragment," standing in no connection whatever. In opposition to such a proceeding, even Knobel acknowledges that "the portion, vv. 14–27, is meant only to give the tribal genealogy of Moses and Aaron, and ver. 14 is to be translated: These are the heads of their (Moses and Aaron's) father's houses, *i.e.* these stand at the head of the father's houses to which Moses and Aaron belong."

Here, therefore, בית־אבות can as little denote a (single) tribe as the whole people; not the latter, because this genealogy is intended to give only the members of the tribe of Levi, and the sons of Reuben and Simeon are named according to their clans in vv. 14 and 15 only to mark the place which Moses and Aaron, who from this day forward are to stand at the head of the whole people, took in the natural classification of the people according to their descent from Levi. And בית אבות cannot here mean a tribe, because Moses and Aaron did not form a tribe, and therefore it would be improper to speak of the tribe of Moses or Aaron.—Also in Num. xvii. 17: "Take of the children of Israel rods one for each *Beth-ab*, of all their princes according to their *Beth-Aboth* twelve rods," *Beth-Aboth* is neither "the twelve-membered unity of the whole people," nor is "*Beth-ab* to be regarded without any (?) possibility of doubt as a designation of each one of the twelve tribes" (Kurtz, ii. p. 170). The meaning of the verse in question, compared with ver. 21, is simply this: Take of the children of Israel, *i.e.* of their princes, a rod for each *Beth-ab*, twelve rods for the twelve *Beth-Aboth*. Hence it only follows that each of the twelve princes has a *Beth-ab*, that *Beth-Aboth* is simply the plural of *Beth-ab*, and denotes not *fathers'* house, but father's *houses*. Were we to translate: "Of all their princes according to their fathers' house," fathers' house, as the twelve-membered unity, could only denote the house of Jacob, and the addition: according to their fathers' house, would be superfluous, if not un-

meaning.—The manifest use of בית־אבות here as the plural of בית־אב cannot be justly denied. The analogies from the Syrian adduced by Gesenius for this plural in the *Thes. s.v.* בית, might justify it. But also in Hebrew, Ewald long ago (comp. *Krit. Grammat. der hebr. Spr. vom Jahre* 1844 *und* 1855, § 270*c*) indicated unquestionable analogies for it in בֵּית בָּמוֹת, houses of the high places, 2 Kings xvii. 29, 32 (comp. with xxiii. 19, where בָּתֵּי בָמוֹת stands for it), בֵּית־עֲצַבִּים, houses of idols, 1 Sam. xxxi. 9, and בֵּית מְכַשְּׁלִים, Ezek. xlvi. 24.

From the passages hitherto considered only thus much appears, that *father's house* and *father's houses* are not always technical designations for the subdivisions of the clans. According to a more strict use of the words, *i.e.* one proceeding from the natural formation of the tribes, clans, and families, they also denote the father's houses, which each tribe, each clan, each larger and smaller family relationship, possessed in the houses of their first-born. This last use is beyond all doubt found, *e.g.* in Num. iii.: "The prince of the father's house (בֵּית־אָב) of the Gershonites was Eliasaph" (ver. 24); "the prince of the father's house of the Kohathites was Elizaphan" (ver. 30); and "the prince of the father's house of the Merarites was Zuriel" (ver. 35). Here, it is true, the father's house of the Gershonites divided into two clans, that of the four clans of the Kohathites, and that of the two clans of Merari, denote each the totality of these three groups of clans, but not as a mere ideal unity. For every combination of clans had its real point of unity, even as every single family had, in its house. This real point of unity for the clans descended from one father is formed by the man who, after his father's death, continued his house, and who legally succeeded as prince at the head of the whole relationship. From this stricter use of "father's house" the technical use of the word for the separate divisions of the clans was afterwards derived.

(8) Thus the elders of the congregation say, after the war of annihilation carried on by the other tribes against Benjamin: "A tribe may not be blotted out from Israel" (Judg. xxi. 17), and they take measures that the 600 surviving Benjamites may get wives, to prevent the tribe from perishing.

(9) Thus, *e.g.*, King Saul belongs to the clan *Matri* (1 Sam. x. 21), which does not occur among the older clans of Benjamin. Moreover, the lists of Chronicles give various genealogical fragments of clans, whose names are not to be found in Num. xxvi. Mention is also made in 1 Chron. xxiii. 11 of two Levites of the Gershonite clan Shimei: "They had not many children, and became a father's house (לְבֵית־אָב) in one reckoning."

§ 141. *Land and Property of the Israelites.*

When the children of Israel, now grown to a numerous people, after their exodus from Egypt, entered into a covenant with God the Lord at Sinai and became the covenant people, Jehovah as their covenant God gave them the land of Canaan promised to their fathers, casting out the Canaanites with His almighty arm, helping them to conquer their land with its cities and villages, and dividing it by the hand of Moses and Joshua among the tribes of Israel (Num. xxxii.; Josh. xiii.–xxi.).—The patriarchs were promised for their posterity only the possession of Canaan proper on this side Jordan. But in the interval between the patriarchs and Moses, the Canaanitish tribe of the Amorites had spread over a part of the land to the east of the Jordan and there founded two large kingdoms, whose kings Sihon of Heshbon and Og of Bashan met the Israelites with determined hostility. Accordingly they were defeated by the Israelites, their territory taken and divided by Moses himself among them. The tribes of Reuben and Gad, at their own request, because of their large flocks, received the southern portion of the land of Jazer and South Gilead, specially fitted for the rearing of cattle. The warlike clans of Machir and Nobah, of the tribe of Manasseh, in reward for their valour in conquering the land, received the northern part, or the kingdom of Basban. These tribes entered on their possessions only after fulfilling the promise to send all their men of war over the Jordan, and to help their brethren to subdue the land of Canaan (Num. xxxii.; Deut. ii. 26–iii. 20; Josh. xiii. 15–32). The taking and dividing of Canaan on this side the Jordan was carried out by Joshua. The power of the Canaanites in the south and north of the land having been destroyed in several campaigns, thirty-one kings defeated and their cities taken, Joshua at the divine command proceeded to divide the whole land among the remaining tribes, according to the boundaries fixed by Moses, Num. xxxiv. The manner of it was this. The situation of its territory within the land was determined for each tribe by lot. Then the compass, size, and boundaries of the several territories were settled and regulated by the commission appointed for the purpose, consisting of Eleazar the priest, the leader Joshua,

and twelve princes of the tribes mentioned by name in Num. xxxiv. 16–29, Josh. xiv. 1, according to the larger or smaller number of the clans and families of each tribe. For these ends it was first necessary to survey the land, *i.e.* not to measure it geometrically, but to have it described according to the number of its cities and villages, the soil of the several portions, and such like. This was done by a committee formed of three men for each tribe (Josh. xviii. 4–9). The division itself, however, was apparently so far carried out, that not only had every tribe for its clans, but every clan for its families, a proportionate share assigned in the land, regard being had to the modifications which the natural division of the tribes and clans had experienced by the exaltation of Israel to be God's people. Accordingly the posterity of Joseph received for Ephraim and Manasseh two territories; but the tribe of Levi being chosen to be the priestly tribe, received no independent portion with the other tribes, no territory of their own, but only forty-eight cities with the pastures belonging to them for their cattle within the twelve tribes (Josh. xxi.).

The whole land was thus equally divided among the tribes and clans of Israel, so that every clan and every father's house received an inheritance for itself and its descendants corresponding to the number of its members. But all the tribes and parts of tribes did not come into actual possession of their allotments because many larger and smaller districts of the land were still in the hands of the Canaanites not fully extirpated, and were wrested from them in after times only by hard fighting, and even then only partially. But in the time immediately following Joshua's death, the Canaanites left in the land were mostly subjugated and made tributary (Judg. i.). Their land thus became the property of the Israelites, and every tribe received for its clans so much ground, that its cultivation must have fully sufficed to maintain its families, for the whole land could easily support a larger number of inhabitants than the Israelites amounted to when they entered it. With the land they took its cities, townships, and villages. As to the division of them, the Old Testament does not give any clear account. But from the list of cities which fell to the tribe of Judah (Josh. xv.), it appears that not only were some villages attached to each city, but the cities formed

collective groups. It was not difficult to harmonize this arrangement with the tribal constitution of Israel. To the several divisions of the tribe distinct groups of cities with the attached villages could be given, and so the heads of families and clans receive their inheritance in the circuit towns and their lands.

The way and manner in which Israel received the land of Canaan in possession, corresponds to its calling to be God's people. Though Israel had become master of the land by force of arms, it was not their own might, but the arm of the Lord which had wonderfully helped them and smitten the Canaanites, to fulfil the promise given to the fathers,—Jehovah's hand, which had extirpated the Canaanites and planted Israel (Ps. xliv. 3 f.). To this corresponded the division of the land by lot to the tribes of Israel, and the right of property attached to possession. Though the land was promised to the children of Israel for an everlasting possession (Gen. xiii. 15, etc.), yet their retaining it was conditional on their faithful fulfilment of its covenant obligations (Lev. xxvi. 32 ff.; Deut. iv. 26 ff., xi. 9 ff., etc.), and even the ground did not become Israel's property in such a way that the possessor could dispose of it as he willed. The land was and remained the property of Jehovah the covenant God, in which the Israelites dwelt with Him as strangers and sojourners (Lev. xxv. 23), lived on the produce of its soil, and enjoyed its products and fruits. That Israel might be constantly reminded of this condition, a year of rest for the ground was to be observed every seven years, the land keeping a Sabbath to the Lord, and every fiftieth year was to be a jubilee, in which every one returned to his property, *i.e.* to the possession of whatever land had been alienated till then (Lev. xxv. 10, 13). For the portion received as an inheritance was to be the inalienable property of the families. "The land shall not be sold in perpetuity" (לִצְמִתֻת, Lev. xxv. 23), but throughout the whole land there shall be a ransom (גְּאֻלָּה) provided, *i.e.* a redeeming or buying back by the seller or his next of kin (Goël), (ver. 24). If, however, no redemption took place, what was sold reverted without payment in the jubilee year to its original possessor or his heir (ver. 28). Thus every sale of land became a lease, since only its produce was sold, or the

amount of the harvest till the jubilee (Lev. xxv. 15, 16).—In these circumstances, the sale of landed property was not likely to occur except through impoverishment. If, however, any one was forced by poverty to sell his possession, and either his nearest relative, on whom the duty of redemption devolved first, or the man himself in case of his again acquiring the means adequate to redeem, wished to recover what had been sold, then the years that had elapsed since the sale were to be reckoned, and the buyer was to receive only as much as the purchase money amounted to for the time still remaining till the next jubilee (Lev. xxv. 25–27).

This right of redemption as well as of the free reversion of what was unredeemed in the jubilee held *absolutely* (*a*) for property in lands and houses, in villages and unwalled places; (*b*) for the houses of the Levites in the cities allotted to them, and the attached fields (Lev. xxv. 31–34). In a *limited* way it held (*a*) for the dwelling-houses in walled cities. For them the right of redemption lasted only a full year from the day of sale, so that if the ransom did not take place then, the house fell to the buyer for ever for his posterity (vv. 29, 30). (*b*) For fields vowed to the Lord, with the limitation, that if they were not recovered for the prescribed valuation (comp. i. p. 430), but were sold to another, they did not revert in the jubilee to their original possessor or his heir, but as being holy to Jehovah, like a devoted field, became the property of the priests (Lev. xxvii. 14–21). On the contrary, the fields, which as bought, not inherited property, were consecrated or vowed to Jehovah unless they were redeemed, reverted without payment of a penny in the jubilee to the hereditary possessor from whom the person vowing had bought them (vv. 22–24; comp. vol. ii. p. 16, note 5). These limitations flow from the same principle as the right of ransom. Houses in walled cities were not so closely connected with the land, which the Lord gave to His people for an inheritance, that they could be regarded as inalienable (*ibid.* note 6). By their sale the inheritance given to the several tribes and clans by the Lord was not altered. Hence the jubilee had no influence on their possession. The interval allowed for their ransom amounted only to a year, on the one hand to enable the seller, if a temporary need had forced the sale on him, to recover his property when his

circumstances had improved; on the other, to put the buyer in a position to make free use of his purchase, should he wish to alter the house according to his wants. On the contrary, a bought field could only be consecrated to the Lord by the buyer, in so far as it had become his property. Since, strictly speaking, he had only bought its produce till the jubilee, he could only vow this to the Lord. If he ransomed it, he ransomed it for himself only till the jubilee; if he did not ransom it, the sanctuary had the use of it for this interval, after which the field reverted in either case without payment to the original hereditary owner.—It was otherwise with a field in the possession of its heir. Of this the possessor could vow a portion to Jehovah who had given him the whole. In this case indeed, as in all things vowed except sacrificial animals, ransom was allowed till the jubilee; and then he had only to pay the value of the harvests till this date, according to the fixed valuation, with the addition of a fifth, so that the field remained his property, and from the jubilee onwards its produce again belonged to him cost free. But if he did not make use of this privilege, he gave it to be understood that he had wholly given or wished to give the field or land to the Lord. Then it remained for ever holy to the Lord, and in the jubilee became the property of the priests (1).

(1) Comp. on this section, Kübel, *Die soziale Gesetzgeb. d. A. Test.* cap. 2, p. 27 ff.—On the *exchange* of land there is no ordinance in the Mosaic law. Hence Michaelis remarks (*Mos. R.* ii. § 73): "I find no law forbidding an Israelite to exchange his inheritance. Neither was an exchange, unless it caused a transference into a wholly different tribe, contrary to the object of the law, for its end was thereby preserved, that the latest posterity should not be altogether without property." Saalschütz also (*Mos. R.* p. 155) is of the opinion, "that an exchange of properties, in certain circumstances, was undoubtedly allowed (of course only within the same tribes and families because of Num. xxxvi. 9); for in Ruth iv. 7 the exchange (*Themurah*) is mentioned as a special form of business transaction." But these grounds are quite inconclusive. The Mosaic laws regarding the ransom of property and its free reversion to the original possessor at the jubilee, have a higher end than to prevent later generations being destitute of property; and the ancient custom mentioned in Ruth iv. 7 in connection with buying and exchanging is older than the Mosaic law, for this gives it a

peculiar application in regard to levirate marriage (comp. § 108). Hence the circumstance, that this symbolical form of concluding a bargain sprang originally from the selling and buying of real property, gives no ground for concluding that the Mosaic law allowed an exchange of land. The fact that the land given to the Israelites to inherit was and remained Jehovah's property, gives us far more right to infer that the possessor of a property for the time being was not entitled at his own hand to exchange it for another, so that Naboth acted quite in the spirit of the law when he would neither sell his inherited vineyard to Ahab, nor exchange it for another (1 Kings xxi. 2 f.).

§ 142. *Succession and Right of Inheritance.*

The possession of land, which Israel received by lot from God, was to remain the inalienable property of the several families. In respect of inheritance it was an old-standing custom, that the father's property went to his sons, the first-born receiving a double portion, the other sons single and equal portions. Thus, for example, of five sons the first-born got a third or two-sixths, each of the others a sixth of the father's entire property. In consideration of this, the first-born, according to patriarchal custom, as head of the family, had to provide food, clothing, and other necessaries in his house, not only for his ageing mother till her death, but also for the unmarried sisters till their marriage. This right, established by custom, is more precisely defined by the Mosaic law, and first in relation to the privileges of the first-born, to the following effect. Where there are two wives, one loved, the other hated, the father is not to prefer the later-born first son of the loved wife to the older first-born of the hated one, but is to give the right of primogeniture, with two parts of his whole possessions (בְּכֹל אֲשֶׁר יִמָּצֵא לוֹ), to the beginning of his strength (Deut. xxi. 15–17) (1). The established custom in special circumstances is so widened, that if one died without having a son, his possession was to go to his daughters; but if he had no daughters, to his brother; and in lack of a brother, to his father's brothers; and where these too were wanting, to the nearest blood relative of his clan (Num. xxvii. 8–11). — When daughters inherited, however, it was further commanded that they should take husbands only of their father's

tribe, to prevent the transference of his inheritance from one tribe to another, and to preserve unimpaired to each of the twelve tribes the portion allotted to it in the possession of the land (Num. xxxvi.) (2).

The object of these specifications is evident. It is intended that every family shall retain without alteration of the tribal territories, or mingling of the tribal property, the possession it received from the Lord, so long as it subsists in male or female issue. Only if it dies out, through childless marriage, or because the children have died as minors before their parents, is its possession to fall to the lateral lines of the father's clan. It is by this intention of the Mosaic law of heirship that we must answer the question not directly decided by law: when a family was regarded as extinct, or when the brother, father's brothers, etc., became heirs, whether immediately, on the death of the childless husband, or not till after the death of his widow? Our answer must be, that the inheritance in this case passed to the man's brothers or relatives only when the widow of the deceased was so far advanced in years that she could not enter into a second marriage with the hope of having children, and probably also was no more in a position to manage the property. If, on the contrary, the widow was still so young that she might again marry and bear children, the deceased's brother, according to more ancient custom, was obliged to enter into levirate marriage with her, in which case the vacant inheritance came to the first son of this marriage, who was to continue the deceased's name and race. But if there was no brother of the deceased living, or if the brother refused to marry his sister-in-law, she might on his renouncing this duty to his departed brother before the judge (comp. § 108), marry a husband outside of the family, in which case her property, or that of her deceased husband, came like that of heiresses into the possession of this second husband, and descended to the children she bore to him.—The opposite view, that on the death of a childless husband his widow was sent back to her father's house, and her husband's property immediately passed to his brothers or more distant relatives, has no support in the Mosaic law (3). It is at variance with the right of levirate, which was not abolished, but only regulated by the Mosaic

law; and it is represented in the Book of Ruth, in which it is related (iv. 3) that Naomi sold the possession of her deceased husband Elimelech, as a historical fact, not as resting on a legal basis (4).—Of *wills* there is not a trace to be found in the Mosaic law or throughout the whole of the Old Testament (5).

(1) We come on a privilege of the first-born so early as in Gen. xxv. 31 ff., xxxviii. 28. Further, Jacob takes from Reuben the right of primogeniture because of a trespass (Gen. xlix. 4, comp. xxxv. 2) committed against him (the father), and transfers it to Joseph, by raising his two sons to be his heirs (Gen. xlviii. 20–22; 1 Chron. v. 1). Such transference, to which the patriarch was entitled by divine guidance, could easily be imitated without right; therefore it is forbidden by the Mosaic law.

(2) Hence it follows that *all* sons, not only those of full wives, but those also of maids or concubines, shared equally in the inheritance, the sons of harlots only excepted, Judg. xi. 2, 7. So in the case of Jacob; whereas the exclusion of Ishmael (Gen. xxiv. 36) and of the sons of Keturah from the inheritance of Abraham (Gen. xxv. 5 f.) is to be explained by the divine promises which spoke only of Isaac (Gen. xxi. 10 ff.).—Where there were sons, *daughters* do not seem as a rule to have inherited. Yet exceptions to this rule occur, though only, indeed, in very rich families. Job gives his daughters an inheritance among their brothers (xlii. 15); Caleb gives his daughter Achsah not only Debir, when he gives her as wife to the conqueror of this city, but in addition "upper and lower springs," Josh. xv. 16 ff.; comp. my comment. on the passage. — In such cases the husbands, if they were of another tribe or clan, seem to have been adopted into the clan of their wives. For only thus can we explain how *Jair* the son of Segub of the tribe of Judah by the daughter of Machir, the son of Manasseh (1 Chron. ii. 21 f.), is mentioned in Num. xxxii. 41 as a son of Manasseh, and receives for his inheritance the lands of Bashan conquered by him, among the half tribe of Manasseh; further, how in Neh. vii. 63 there occurs a family of priests *Barzillai*, which sprang from Barzillai, a priest, who received this clan name from his wife, a daughter of the rich Gileadite Barzillai, certainly for no other reason than because he had fallen heir by his wife to some of Barzillai's property, though Barzillai had a son besides, 2 Sam. xix. 38 f., comp. with 1 Kings ii. 7.

(3) The sending back of the wife to her parents' house after the death of her husband cannot be inferred either from Gen. xxxviii. 11; for Tamar even on her marriage did not leave her

father's house; or from Deut. xxii. 13 ff.; or from the law of succession, Num. xxvii. 8 ff.—Even the passage, Lev. xxii. 13, where the return of a widowed or divorced priest's daughter to the house of her father is presupposed, only proves it to have been possible for a childless widow on the death of her husband to return to her father's house and be maintained by him. It does not at all prove the necessity of her doing so in order to leave the inheritance of her deceased husband to his brothers or relatives.

(4) If Naomi sold the land which stood in the name of her husband and his heir, as is clear from Ruth iv. 3 (comp. Bertheau on the verse), it must have remained in her possession after her husband's death. Now it is true Elimelech had two sons; but these had emigrated with their parents, and had afterwards married in the land of Moab; there, however, they had died, without having come to the paternal inheritance. Hence it is still in the possession of their mother, who sells it probably because it was so burdened with debt that she could no longer retain it for her daughter-in-law Ruth; or perhaps could no longer enter on it on her return home.—As the law stood, the next of kin to Elimelech had the right of redeeming the land, *i.e.* securing it for himself. This he is ready to do; but when he hears from Boaz that if he redeems the land from Naomi he must also buy it from Ruth the Moabitess, Elimelech's widowed daughter-in-law, to raise up the name of the dead on his property, he declines, and leaves the ransoming to the more distant kinsman Boaz (Ruth iv. 1–6), who pays for the inheritance of Elimelech and his sons, and also takes Ruth to wife, to raise up the name of the deceased on his possession (vv. 7–10).—Thus the redemption of the field is inseparably connected with the marrying of Ruth. By what law? The case cannot be explained by the right of levirate, because neither the nearest redeemer nor Boaz are brothers of Mahlon, Ruth's deceased husband, as, following the Jewish expositors (comp. Selden, *De success. in bon. def.* c. 15), Bertheau, *Comm. z. B. Ruth*, p. 250, has rightly remarked. Is it then to be explained by traditionary custom, which, extending further than the law of Scripture, laid on the redeemer of the land the duty of marrying the widow, to maintain the principle that the land of an owner who died childless should remain to a son born of his widow, as heir of the owner and of his name? as Bertheau, *ubi supra*, and Saalschütz, *Mos. R.* 812 f., 836 f., think. Only the observance of such a custom would have been in fact, on the one hand, an extension of the obligation to levirate marriage far beyond the limits prescribed by the law; on the other, a narrowing of the right of succession established by the

law. For if, according to the current interpretation of Num. xxvii. 8 ff., the property of one who died childless fell immediately on his death to his brothers or the relatives next in order, this right of succession would have been withdrawn from the next of kin who were entitled to succeed, if a more distant relative declared himself ready to marry the surviving widow, to have children by her, who should inherit the property of the deceased. — Neither does the assumption of Bertheau and Saalschütz, that the widow, according to levirate right (?) or that of custom, only remained in actual possession or use for the time being of her deceased husband's property, suffice to explain our case. It would certainly explain the declinature of the first redeemer to ransom the land, but it would in no wise account for the taking of Ruth by Boaz, to raise up the name of the dead (Mahlon) on his property; because hereby the possibility of inheriting was taken away from the nearer relative, and that illegally, if Naomi and Ruth had only the use of the land either till their death or remarriage, and if it must then have legally fallen to their husband's relatives.— The declinature of the first ransomer of his right becomes intelligible, and the step of Boaz is legitimate only when we assume that the land sold was the inheritance of Ruth. In that case the first ransomer might justly be afraid of redeeming as prejudicial to his own possessions (ver. 6), because in this case the land passed, on the death of Ruth, to her relatives as her lawful heirs, or if she married and had children, to her husband and children; thus in both cases being a loss to the ransomer, for the money which he paid passed away from him in whole or part to the prejudice of his own property.—Thus it follows from this narrative that the woman as widow fell heir to her husband when he died childless, and his property did not pass to his relatives till after his widow's death, and even then only when she had not entered into a second marriage. If, on the contrary, she married again, her inheritance, as in the case of daughter heiresses, became the property of the (second) husband and children, without her requiring to have been an heiress on the occasion of her first marriage. For this supposition does not explain the case in question for this reason, that "we have here not to do with a piece of land inherited from the father, which Naomi or Ruth as heiresses possessed, but with that of Elimelech and his sons." Bertheau, *B. d. Richt.* p. 252.

(5) Neither the expression: "Command his house" (put his house in order), 2 Sam. xvii. 23, 2 Kings xx. 1, Isa. xxxviii. 1, nor the writing mentioned Tob. vii. 14, indicates a testamentary disposition. Not till the time of the later Jews

do testaments occur; comp. Gal. iii. 15; Heb. ix. 27, and among princely families (Joseph. *Antiq.* xiii. 16. 1, xvii. 3. 2; *de bell. jud.* ii. 2. 3), as well as in Talmudic law after the Greek and Roman fashion. Comp. Gans, *Das Erbrecht*, i. p. 149 ff., where the Talmudic law of succession is described in its leading points. More on this subject in Selden, *De successionibus in bona defuncti ad leges Ebr.*, Lond. 1636.

§ 143. *Organization of Tribes and People.*

The outlines of civil organization were given to Israel in its natural division into tribes, clans, and fathers' houses. According to patriarchal custom, the fathers, standing by right of birth (primogeniture) at the head of the several tribes and divisions of tribes, regulated the relations of the tribes and clans, directed their common affairs, settled disputes as they arose, punished offences and crimes, and administered law and equity. But with the death of Jacob the children of Israel lost their one common head. The dying patriarch had deprived his first-born Reuben of the right of primogeniture because of an unnatural offence, and assigned the sceptre to Judah. But the double portion of the inheritance belonging to the first-born he transferred to the two eldest sons of Joseph, and of these, when giving his blessing, he set the younger Ephraim over the elder Manasseh (Gen. xlviii. and xlix.). With increasing numbers, the posterity of the twelve patriarchs branched ever more widely into clans and families, and the right of the first-born fell more and more into the background behind the equality of standing and rights possessed by the several tribes. And since, by founding clans, grandchildren were often put on an equality with sons, the heads of clans and fathers' houses gradually attained to almost equal authority and standing with the heads of tribes, for each governed within his own circle, as far as was possible in that state of servitude to which the Israelites were gradually reduced in Egypt.—Thus from the heads of tribes, clans, and families proceeded the *elders* (זְקֵנִים), who, even before the time of Moses, form the superiors of the people. For Moses and Aaron, on their arrival in Egypt, gather the elders of Israel to announce to the people their divine commission to lead them out of the bondage of Egypt (Ex. iii. 16, 18,

iv. 29). When further, shortly before the exodus, God commanded Moses to speak to the *whole congregation* of Israel, to take every man a lamb according to their families, a lamb for a house, for the Passover (xii. 4), Moses obeys the divine command by calling *all the elders* of Israel and saying to them: "Take you a lamb according to your families, and slay the Passover" (ver. 21).—This relation of the elders to the people, in which they represent the congregation according to its families, defend its rights, and are called in when it is desired to influence the people, shows clearly that they were not "raised to their position by the people's free choice; that they do not represent a nobility of merit belonging to the people in contrast to the hereditary nobility of the heads of the tribes;" "that they do not form a sort of democratic element in the otherwise aristocratic constitution" (1), but are only the presidents of clans and families, who had this position from time immemorial in virtue of the right of primogeniture. Nowhere are the elders mentioned with the heads of tribes and families as representatives of the people different from these, but they only appear when it is desired to designate shortly and comprehensively the superiors or representatives of the congregation without regard to the genealogical division of the various heads of the people (2).

Neither do the elders form any special class of officials, such as the *Shoterim* (שֹׁטְרִים, γραμματεῖς, writers; Luther, *Amtleute*), chosen from them, whom the Egyptians appointed as overseers of the tasks of the people (Ex. v. 6, 10, 14, 19). This name, or rather the office designated by it, was given to some of the elders or heads of the people probably from the fact that in those ancient times it was not every head of a tribe or family who was able to keep the genealogical registers, so very weighty, for the organization of the clans, and to write out other documents of legal importance; and hence those who were able were chosen from the totality of the people's natural superiors, and entrusted with this business (3).

(1) As Kurtz, *Hist. of the Old Cov.* ii. p. 164, represents the case. But this view, drawn from the constitutional forms of modern times, is wholly foreign to the spirit of the ancient East, and has not the slightest support in the Old Testament. For the passage, Deut. xxix. 10, in which the elders are said

(Kurtz) to be "expressly distinguished" from the heads of tribes (higher or lower), when rightly understood, proves the contrary. When Moses says here: "Ye stand this day all of you before the Lord your God, *your heads, your tribes, your elders, and your shoterim, even all the men of Israel,*" it is obvious at a glance that in this rhetorical enumeration, in virtue of the oratorical *parallelismus membrorum*, as the men of Israel correspond to the tribes, so do the elders and shoterim correspond to the heads; in other words, that as the tribes consisted of the men of Israel, so the heads consisted of the elders and shoterim, and so the elders are identical with the heads. Very instructive on this point is 1 Kings viii. 1–3, where the representatives of the people assembled to dedicate the temple are designated in ver. 1 as "the elders of Israel, and (then) all the heads of the tribes, the princes of the fathers (*i.e.* fathers' houses) of the children of Israel;" but in ver. 3 they are more shortly named "all the elders of Israel," whence it clearly appears that in ver. 1 the designation, "the elders of Israel," is only a general appellation for the heads of the people, who are then more particularly designated by ו explicative as heads of the tribes and princes of the fathers' houses. Hereby we are to interpret other passages, such as Josh. xxiv. 1, where the complete representation of the people is expressed by "all the tribes, the elders of Israel, and their heads, and their judges, and their shoterim;" or, finally, Deut. v. 23, where "all the heads of your tribes and your elders" is to be understood; and your other elders, analogous to the expression: the inhabitants of Jerusalem and the men of Judah, for: the rest of Judah (Isa. v. 3).

(2) This appears clearly from the fact, that now the princes of the congregation (נְשִׂיאֵי הָעֵדָה, Ex. xvi. 22, Num. xxxii. 2, or הַנְּשִׂאִים רָאשֵׁי אָבוֹת לִבְנֵי יִשְׂרָאֵל, Num. xxxvi. 1), again the elders of Israel (Ex. xvii. 5 f.), treat with Moses as the people's representatives, or stand by his side as the supreme leader (Num. xvi. 25; Deut. xxvii. 1); and that even at the sacrificial feast given by Jethro after his arrival in the camp of Moses, to which undoubtedly, according to patriarchal custom, the heads of tribes, clans, and families were invited as the natural representatives of the people, according to Ex. xviii. 12, "Aaron came, and all the elders of Israel, to eat bread with Moses' father-in-law before God."

(3) That שֹׁטֵר does not etymologically denote *orderer*, as if related to סדר (Ewald, *Alterthümer*, p. 335), but *writer*, comp. Gesenii *Thes. s.v.*; and that the *Shoterim* were also elders or chosen from them, is proved beyond doubt by Num. xi. 16: "Gather seventy men of the elders of Israel, whom thou knowest to be the elders and Shoterim of the people" (זִקְנֵי

הָעָם וְשֹׁטְרָיו); and from Deut. xxxi. 28, where they are named with the elders of the tribes as representatives of the people. In the Mosaic constitution they are most frequently named with the *judges*, Deut. i. 15, xvi. 18; on which Saalschütz, *Mos. R.* p. 59, founds the supposition, "that judges and Shoterim represented in the tribes and cities the two offices which are now likewise distinguished as magistracy and police." See below, § 149, note 6.

This constitution of the people, with its representation by the fathers or heads of houses, which sprang from the patriarchal relations, was not changed when Israel was raised to be Jehovah's people, but retained as the basis of the organization and administration of the State. Even before the covenant is made, Moses chooses the men at Horeb, whom he appoints on the advice of his father-in-law to be rulers over thousands, hundreds, fifties, and tens, as judges for the people and Shoterim for the tribes, not from the mass of the people, but from the heads of the tribes (comp. Ex. xviii. 21 ff. with Deut. i. 15). By this arrangement the magistratic authority remains in the hands of those who had possessed it hitherto in virtue of their birth, and it is only the exercise of their office which receives a new form and order (comp. § 149). Again, in connection with the giving of the law, it is all the heads of the tribes and (the other) elders who, as representing the people, commit to Moses the speaking with God and promise to listen to his voice (Ex. xx. 15 f., comp. with Deut. v. 20 ff.); and it is "seventy of the elders of Israel" who as the noble (אֲצִילִים), as the nobility of the people, with Moses, Aaron, Nadab, and Abihu, conclude the covenant with the Lord, behold the God of Israel, and partake of the covenant feast (Ex. xxiv. 1, 9–11). And when, later, the burden of governing the people becomes too heavy for Moses, he assembles seventy men of the elders and Shoterim before the tabernacle, on whom Jehovah puts the spirit of Moses, that they may assist in bearing the burden of the people, *i.e.* support him in the general government of them (Num. xi. 16, 24). In both cases *seventy* are chosen from the total number of elders because of the significance of the number, which as compounded of ten, the number of perfection, and seven, the signature of God's works, represents the totality of the

covenant people (4).—In other cases, from all the elders or heads of the people a smaller committee was chosen corresponding to the object in question. So, *e.g.*, in taking the census of the people for every tribe, a head of its fathers' houses, princes of their ancestral tribes, heads of the clans of Israel (אַלְפֵי יִשְׂרָאֵל, Num. i. 4, 16); so to spy out the land of Canaan again, twelve men, according to the number of the tribes, one of every tribe, all princes (נְשִׂאִים) or heads of the children of Israel (Num. xiii. 2 ff.); so to divide the land of Canaan likewise, twelve men, a prince from a tribe (Num. xxxiv. 17 ff.).—These representatives of the people, whose number and choice vary according to the different occasions on which they are called to act, not only represent the whole people, each his tribe, or clan, or father's house, but they also form the *congregation* (עֵדָה or קָהָל, assembly) with which Moses treats (5), and were named in this capacity "called of the congregation," קְרִיאֵי הָעֵדָה, Num. i. 16, xxvi. 9, or קְרִיאֵי מוֹעֵד, Num. xvi. 2 (6).

Thus the *congregation* is not the whole people, but the people represented by its heads; comp. Num. xxvii. 21, where "all the children of Israel" are distinguished from the "whole congregation" (7). It forms conclusions and acts in the name of the whole people; being subordinate, however, to Moses, whom God chose and miraculously attested to be the founder and mediator of His covenant with Israel, and to Aaron, to whom the priesthood is committed; and in all its conclusions and actions it is bound to the will of Jehovah revealed by Moses and promulgated as law.

(4) The symbolical significance of the number seventy is acknowledged by Kurtz, *ubi supra*, iii. p. 267 f.; but he admits as probable a realistic reference to the number of Mishpachoth, because Jahn (*Bibl. Archäol.* ii. 1, p. 59) calculated from Num. xxvi. that the number of Mishpachoth in Israel amounted to seventy-one, so that an elder was chosen for each Mishpachah. "Jahn's calculation, it is true, is not correct; for in cases where a Mishpachah was so strong that several subdivisions were formed, each possessing the right of an independent Mishpachah, he has also reckoned the original Mishpachah, which is certainly inadmissible. But notwithstanding this, the numbers very nearly agree, and nothing further was required." Only how Kurtz could have found this in Jahn is utterly incompre-

hensible. Jahn counts, *ubi supra*, in Num. xxvi. 5–50 only fifty-nine chief families (*i.e.* clans, Mishpachoth), whose heads with the twelve princes of tribes formed a college of seventy-one. Nor is the incorrectness of his reckoning to be found in the fact that he enumerated all the independent Mishpachoth; for, as we have already remarked, § 140, he was fully entitled to do so; but in a simple arithmetical mistake, for in Num. xxvi. 5–50 only fifty-seven clans are numbered, not fifty-nine. Thus the supposition of "a realistic reference" loses its support, for there is no ground whatever for reckoning the princes of tribes with the heads of clans.

(5) Comp. Ex. xii., where in ver. 3 "the congregation of Israel" occurs, in ver. 21 there stands for it: "the elders of Israel;" further, Deut. xxxi., where we read, ver. 28: "the elders of your tribes and your Shoterim," and instead, in ver. 30: "the whole congregation of Israel." Thus "both expressions are in every case identical, and *congregation* or *assembly* of Israel means the people of Israel present in their representatives." Saalschütz, *Mos. R.* p. 39.

(6) From Num. xvi. 2 compared with xxvi. 9 it is evident, on the one hand, that עֵדָה and מוֹעֵד are identical; on the other, that not only the twelve princes of the tribes, but all the people's representatives who appeared at general assemblies, are included under the name, the "called of the congregation." For according to Num. xvi. 2, the two hundred and fifty men of the children of Israel, who belonged to the conspiracy of Korah, were "princes of the congregation, called of the assembly, men of renown." "They were thus manifestly the most important fathers of families, who in other places are called *elders* (Num. xi. 16; Deut. xxix. 9, xxxi. 28), and appear under this appellation even in Egypt, Ex. xii. 21." Saalschütz, p. 38.

(7) Additional proofs, that the congregation is only the assembly of heads, are given by Saalschütz, *ubi supra*, p. 44 ff.

This tribal organization was still further established and completed by the fact, that the division of the promised land fitted into it, that the fixed property given to the covenant people as a permanent inheritance was allotted to them according to their tribes, clans, and fathers' houses (comp. § 141). In this way, no doubt, the larger cities, as central points in the several tribal territories, came into the possession of those families which formed the chief houses of the various divisions of the tribes. They thus became not only the seats of the fathers and heads of these

divisions, but to a certain extent also naturally represented the larger and smaller members of the tribe, and to them as circuit towns or district centres even the name *Alafim* (אַלְפִים, Micah v. 1), strictly, belonging to clans, was transferred.

In these circumstances, the tribal organization with its princes, heads, and elders took such deep and firm root in the life of the people and the State, that it was neither overthrown in the troublous times of the Judges nor dissolved on the introduction of the monarchy. On the contrary, the elders or heads of the tribes remain the representatives of the people, and like a sort of land estate not only exercised great influence on the election of kings (1 Sam. viii. 4 ff., x. 20 ff.; 2 Sam. iii. 17 ff., v. 1 ff.), but are consulted by them on all important State affairs (1 Kings viii. 1, xx. 7; 2 Kings xxiii. 1), and sometimes assert their influence with great energy (1 Kings xii.).—Even on the dissolution of the kingdom the elders maintain the internal administration and guidance of the people, both when in exile (Jer. xx. 1; Ezek. xiv. 5, xx. 1) and after their return from it. In their native country they are the organs of the people, and watch over its rights in opposition to foreign rulers (Ezra iv. 2 f., v. 9, vi. 7, x. 8; Neh. x. 1), down to the times of the Maccabees (1 Macc. xii. 6, 35, xiii. 36); though the tribal organization lost its firm basis with the carrying away of the people into exile; and after the exile, because, excepting priests and Levites, it was chiefly only clans of the tribes of Judah and Benjamin who returned, it could never regain its ancient importance under the oppression and repeated changes of foreign masters.

SECOND CHAPTER.

THE THEOCRATIC CONSTITUTION.

§ 144. *The Congregation of Jehovah.*

Elected as the covenant people, it became the lot of Israel to be the congregation of the Lord (Jehovah) or God (עֲדַת יְהוָה,

Num. xxviii. 17, xxxi. 16 ; קְהַל יְהוָה, Num. xvi. 3, xx. 4, etc., קְהַל הָאֱלֹהִים). The congregation of Jehovah is neither to be wholly identified with the totality of Jacob's natural posterity nor with the political congregation of Israel represented by its heads, but it consisted of the totality of those who bore in their persons the covenant sign of circumcision, and enjoyed full covenant rights (1). Since the kingdom of God planted in Israel, notwithstanding its temporary limitation to the one people of Israel, bore within it the germ of universality, of diffusion among all peoples, the covenant made with Abraham and established with Israel at Sinai was from the beginning not exclusively confined to the natural posterity of Israel's twelve sons. As a practical proof that the redemption which was to be prepared through him and his seed was intended for all races of the earth, Abraham was commanded to circumcise every male belonging to his house. Hereby his servants, who amounted to hundreds, are included in his house, made partakers of the covenant promises, and incorporated with the promised seed. And though this seed, when it had grown to a numerous nation, was separated from the other peoples and appointed to dwell in Canaan alone, yet there went out with the Israelites from Egypt a large mixed multitude of foreigners (Ex. xii. 38 ; Num. xi. 4 ; Josh. viii. 35), who were not rejected by them. At all times, moreover, there were strangers among the Israelites, *i.e.* individuals of other (heathen) peoples. If these only refrained from idolatry and observed certain religious ordinances (comp. § 65), the law not only secured to them protection and toleration, but equal civil rights with the Israelites. They could even acquire fixed property, lands (Lev. xxv. 47 ff.), and offer sacrifices to the Lord (Num. xv. 15 f., 26, 29), without belonging to the congregation of Jehovah. But into this, too, they were permitted to enter, if they submitted to circumcision. Hereby they were entitled to eat the paschal lamb, and to take part in the covenant feast of the people of Israel, and thus they became members of the congregation of the Lord (Ex. xii. 48). The only parties excluded from this fellowship are the Edomites and Egyptians resident in Israel, only, however, till the third generation, in which the sons born to them could be admitted

(Deut. xxiii. 8, 9). On the other hand, there are mentioned as excluded for ever the seven Canaanitish nations doomed to destruction, with whom because of their idolatrous abominations Israel dared not make any covenant (Ex. xxxiv. 15 f.; Deut. vii. 1–4); further, the Ammonites and Moabites, because of the hatred they betrayed against Israel on its march through the wilderness, a hatred bent on the destruction of God's people; finally, of individuals, those who were maimed in their privy member (mutilated), and the children of harlots (מַמְזֵר (2), Deut. xxiii. 2–7), because to such there attached a vicious disturbance of the physical or ethical order of the world.

(1) These rights, however, were lost by those attacked with leprosy till they were received again into covenant with Jehovah after their recovery. Comp. § 59, II.

(2) As to מַמְזֵר, which besides Deut. xxiii. 3 only occurs in Zech. ix. 6, nothing more is certain than that it denotes one to whose birth a serious stain attaches. The proper meaning is uncertain: LXX. ἐκ πόρνης, Vulg. *de scorto natus*. The Rabbins explain: "Spurios, i.e. liberos qui ex coitu illicito et matrimonio illegitimo orti sunt." See further particulars in Gesen. *Thes.* p. 781; and Saalschütz, *Mos. R.* p. 693.

§ 145. *The Israelitish Constitution or Theocracy.*

The Israelites possessed in their tribal constitution, with its orderly organization, the elements for forming a State. But it was not till after their deliverance from Egyptian bondage and their adoption into covenant with Jehovah, the Lord of the whole earth (Ex. xix. 5), that they received through Moses the laws and ordinances for the kingdom which they were to establish in the land of Canaan. This constitution, which by a term coined by Josephus is wont to be called a *theocracy*, or reign of God (1), has its root in the unique relation into which the Creator and Ruler of the whole world entered with the people of Israel, whom He chose to carry out His purposes of redemption (2). It consists esentially in these three things: (*a*) God Himself as Lawgiver orders or modifies the relations of the religious and common life of the people by immediate revelation given to Moses (3). (*b*) He takes into His own hand the control and government of the

Israelitish State or kingdom, in that He is ever really present to His people, having His throne in a cloud over the cherubim of the ark in the holiest place of the tabernacle or temple, makes known His will in important State affairs by the Urim and Thummim of the high priest or by inspired prophets, and when necessary, interposes in a miraculous or immediate (supernatural) way, judging, punishing, or blessing. (c) Finally, He raises up for the people the needed leaders and rulers, and furnishes them with the power required for their office. Thus all the human superiors of the Israelites were in the strictest sense of the word servants and representatives of God, who had only to carry out His law, to execute His will; and so long as they gave willing obedience, they were sure of His almighty assistance; on the contrary, if they acted in the spirit of self-will, they did not escape divine punishment and rejection. For the one Lord and sovereign (4) was Jehovah, the covenant God, who as Lawgiver, supreme Judge and Ruler of His people, united in Himself all the powers constituting the State, and directed them by His servants.

For the *giving of the law*, He called Moses to be the organ of His will, so that by him lawgiving in the strict sense was concluded. The prophets after Moses only watched over and expounded the Mosaic law, and the revelations which they received related only to the historical development of the kingdom on the basis laid down by the law. — The *judicial power* was entrusted to the princes of the tribes and the elders of the congregation. The *executive* was held sometimes by the princes of tribes, sometimes by the men whom Jehovah called in extraordinary cases to lead and govern His people, and invested with sovereign power. To these human bearers of the powers of State there was added the *priesthood*, which with its head, the high priest, had to stand between the congregation or its individual members and their God in religious matters; it also occupied a mediatorial position between the God-King and His people in another respect. On the one hand, the high priest, in virtue of the Urim and Thummim committed to him, could ask the divine will in all affairs affecting the weal or woe of the whole State, and was called to make it known to the people as well as to its rulers; on the other, the priests as guardians of the law had to give

the supreme judicial decision in disputed cases from and according to the law. But notwithstanding this mediatory position to which the priests were thus raised in the theocracy, the theocratic constitution differed essentially in various respects from every hierarchical State system. First, because the internal and external government of the State lay, not in the hands of the priesthood, but now in those of the princes and elders, again in those of the rulers, commanders, and kings who were immediately called by God. Next, because the priests along with the high priest were held strictly and without deviation in their spiritual and secular official work to the law given by God. Lastly, because a strong check was set to the overstraining of priestly power, and to all hierarchical ambition, by the sending of *prophets*, who, with divine authority and power, and without respect of persons, admonished all ranks to keep within the limits of the law (5).

(1) In contrast to the monarchical, oligarchical, and democratic forms of government introduced among other nations, Josephus says, *C. Ap.* ii. 16, of the Mosaic constitution: *ὁ δ' ἡμέτερος νομοθέτης εἰς μὲν τούτων οὐδοτιοῦν ἀπείδεν· ὡς δ' ἄν τις εἴποι βιασάμενος τὸν λόγον, θεοκρατίαν ἀπέδειξε τὸ πολίτευμα, Θεῷ τὴν ἀρχὴν καὶ τὸ κράτος ἀναθείς.* Further, Josephus in his ethnicizing or hellenizing fashion, makes Moses the author of the theocracy, to exalt him far above the wise men of Greece.—Treating the subject in a purely subjective way, Ewald (*Gesch. d. V. Isr.* ii. p. 207 ff.) etherealizes the real nature of the theocracy into an *idea* of the higher religion under Moses, rising on the basis of older communities which "set up" the purely spiritual invisible God-Jahve whom it first apprehended with full force, "as also the one Ruler for all earthly relations, and expressly excluded every human king with Him."

(2) Oehler aptly remarks in *PRE.* viii. 8: "The Old Testament idea of the divine kingdom does not express God's general dominion over the world, but a special sovereignty over the covenant people, which therefore invokes God in this specific sense as its King, Ps. xliv. 5, lxviii. 25, etc.; in other words, God as the Holy One of Israel is King, Isa. xliii. 15; Ps. lxxxix. 19. He who from ancient times (Ps. lxxiv. 12) is King of His people, and remains so for ever (Ex. xv. 18; Ps. x. 16), will not become King of the heathen nations till that future time when He comes in the last manifestation of His kingdom, and they bow to Him as the God of Israel, Ps. xciii., xcvi., xcvii., xcix.; Obad. ver. 21; Isa. xxiv. 23; Zech. xiv. 9."

(3) For civil right the Mosaic legislation lays down precepts only in regard to the relations of social and political life, which either stood in immediate connection with morality and religion, or required to be modified by the principles of the theocracy. On the law of succession, *e.g.*, it only contains three particular specifications, two of which (on the succession of daughters) were given on special occasions; the third, Deut. xxi. 15 ff., is intended to banish an iniquity. All the rest is presupposed as already existing right. Further, it contains no laws regarding buying and selling, but only regarding redeeming and such like. What has no particular connection with religious life in general, or with the special form given to it by the covenant with God, is not changed by the theocratic legislation. Kurtz is therefore mistaken, *Hist. of Cov.* iii. p. 108, when he says: "The moral, ceremonial, and civil laws were not in any way subordinated the one to the other, but were *in all respects equal;* and whenever they were broken, they all required, according to the heinousness of the offence *in precisely the same way,* religious expiation or civil punishment."

(4) Though on this view Jehovah had taken on Him the rights and duties of an absolute earthly king, yet apart from the poetical and variously understood בְּיִשׁרוּן מֶלֶךְ, Deut. xxxiii. 5, He is first named King in this sense when the question of a human king is raised. Thus Gideon declines the sovereignty over Israel offered to him with the words: "I will not rule over you, neither shall my son rule over you: *Jehovah* shall rule (יִמְשֹׁל) over you," Judg. viii. 23; and when Samuel hesitates to give the people a king, Jehovah says to him: "Hearken unto the voice of the people in all that they say unto thee; for they have not rejected thee, but they have rejected me, that I should not be king over them" (מִמְלֹךְ), 1 Sam. viii. 7.—The יִמְלוֹךְ, Ex. xv. 18, denotes Jehovah's reign over all peoples.—The trivial view of J. D. Michaelis, *Mos. R.* i. § 35, that God only took the name of king as a title, which did honour to the Israelites, to repress idolatry, needs no further refutation.

(5) The theocracy can only be transformed into a hierarchy if, with K. D. Hüllmann, *Staatsverfassung der Israeliten*, Lpz. 1834, we deny in the most superficial style of vulgar rationalism every supernatural revelation of God, if we give out the whole Mosaic history for a myth, and in contradiction to the actual history of the whole Old Testament, allow ourselves to make the "first of the Aaronic family for the time being the visible head of the State" (p. 66). How little ground there is for supposing a hierarchy or priestly rule among the Israelites, has been acknowledged even by C. v. Lengerke, *Kenaan*, p. 514; and Saalschütz, *M. R.* p. 24 f. The latter in particular has pointed

out that neither does the law allow the priests to lay claim to the most influential political positions, not even assigning to them a portion of their own in lands, nor does the history know anything of an intrusion on their part into the political sphere; though Saalschütz himself seeks the essence of the theocracy too one-sidedly in the giving of the law, and limits it to God's reigning over the people by the law revealed through Moses and concluded once for all; while in a rationalizing way he endeavours to weaken the other elements, to wit, the influence of the prophets and the significance of the Urim and Thummim.

§ 146. *The Prophetic Order.*

The prophetic order was at once an immediate outcome and an essential requisite of the theocracy. The reign of God as an institution for the divine revelation of redemption was founded by the prophetical mediation of Moses, and so it could only be maintained by prophets. Hence Jehovah commends the words of the people, terrified at the awful manifestation of His holy majesty on Horeb: "Let not God speak unto us, but Moses, and we will hear." He promises to raise them up prophets from their brethren like Moses, who shall speak to them in His name all that He commands them. At the same time He gives the signs by which they are to distinguish between true and false prophets, that Israel may not, like the heathen, give heed to sorcerers and soothsayers, but hold fully to Jehovah its God (Deut. xviii. 9–22; comp. Ex. xx. 18 f.) (1).—By this divine promise the prophets are pointed to as necessary mediators between the Lord and His people, and they are sanctioned by the law relating to them as a particular order along with the priests and heads of the people or elders (2).—No doubt Jehovah had fully revealed His will to the people in the law given by Moses, so that no further legislation was needed for after times. Moreover, in the priesthood He had given the congregation the mediators who were to cherish and preserve its religious fellowship with God by expiatory sacrifice, and as guardians of the law to spread the knowledge of it. Finally, in the Urim and Thummim vouchsafed to the high priest He had also provided the people with the means of consulting the will of their God-King in all weighty matters

of State on which the law gave no decision (comp. § 35, vol. i. p. 222). But these institutions were not sufficient for all cases in which Jehovah as King desired to reveal His will to Israel, nor for all the need the people had of revelations from its God. On the one hand, there were cases in which neither the people nor its spiritual and secular rulers asked after His will, or where the priests as teachers of the law could not discover from its promises and threatenings His hand in the guidance of Israel; when the Lord's counsel was hidden from the eyes of men, and the prosperity or adversity of the people did not seem to correspond to its conduct toward God. In these cases Jehovah as King required to provide organs for Himself, who, initiated into the secret of His counsel (Amos iii. 7), were enabled and authorized by supernatural enlightenment to manifest His arm in the strength of His Spirit, both to the good and to the profane, to announce His work, and to testify to the people by word and deed that He, Jehovah, reigns as King in His kingdom. On the other hand, the innate need of the human spirit to know itself in communion with God and enter into living fellowship with Him, rendered necessary for the theocracy an institution which would truly provide for the Israelites what other peoples sought to attain by oracles, signs, and prognostications; not to satisfy earthly and selfish objects, but to enlighten the people by the Spirit of the Lord, to hallow them, and to prepare the way for the true spiritual fellowship with God in which the divine kingdom was to be fulfilled.—In these two respects the prophets are as speakers נְבִיאִים, *i.e.* heralds of a divine message, the human organs of Jehovah for the carrying out of His will among the covenant people, the spirit-filled bearers of His supremacy, who were regarded by the pious as "the chariot of Israel, and the horsemen thereof" (2 Kings ii. 12, xiii. 14), *i.e.* were held to be the strongest defence of the kingdom; but they also withstood the moral corruption flowing from ungodliness like a defenced city, an iron pillar and brazen walls against kings, princes, priests, and commonalty (Jer. i. 18) (3).

From this position which the prophets occupied in the theocracy, it necessarily follows that these bearers of the Divine Spirit could not form a hereditary order, nor any close, earthly corporation whatever (4). Jehovah chose for Himself

the persons fitted for this service from all classes (5), and furnished them with His Spirit for their office, thus sending them as His messengers to declare His word to the people.

(1) The promise: "A *prophet* will I raise up unto you of your brethren like unto thee; and I will put my words in his mouth, and he shall speak unto them all that I shall command him," which Moses received from the Lord immediately after the promulgation of the Decalogue, but did not communicate to the people till later, can neither be understood, with Hofmann, *Weissag. u. Erf.* i. p. 253; *Schriftbew.* ii. 1, p. 138 ff., of the Old Testament prophets exclusive of the Messiah; nor, with Kurtz, *Hist. Old Cov.* vol. iii. p. 474 ff., and many older theologians, only of the Messiah exclusive of the prophets of the Old Testament. The first view does not do justice to the description: *like unto thee;* the second is shown to be erroneous by the connection in which Moses discloses this divine promise to the people. It is irreconcilable both with the *more distant* context, in which the ruling powers in Israel in general are mentioned, Deut. xvii. 14–20, the king; xviii. 1–8, the priesthood; vv. 9–22, the prophets, and with the *more immediate* context, according to which Moses discloses to the people the divine promise to send prophets, lest it should turn to soothsayers, prognosticators, and the like, and gives besides in ver. 20 f. the distinguishing marks of false prophets. Thus by the promised *prophet* we cannot understand the Messiah excluding the Old Testament prophets, but must, with Hengstenberg, *Christology*, i. pp. 96 ff., 107 ff., distinguish between prophecy in which all prophets, in so far as they spoke by the Spirit of Christ (1 Pet. i. 11) and reached their completion in Christ, are comprehended and regarded in their unity, and its temporal successive fulfilment, according to which the prophet is raised up for Israel in many separate human individuals, and finally appears in His prototype and essence in Christ, the fulfiller of prophecy. — Comp. my biblical commentary on Deut. xviii. 9–22.

(2) The true prophet speaks in the name of Jehovah, and what he says comes to pass; on the contrary, a false prophet is one who presumes to speak in Jehovah's name what God has not commanded him; and he is to be known by the fact, that his word does not come to pass (Deut. xviii. 21 f.). He who speaks in the name of other gods shall die, be put to death, even if he has done signs and wonders, Deut. xiii. 2–4, 6, xviii. 20.

(3) For a fuller statement on prophecy, see my *Lehrbuch der Einleit. in das A. Test.* § 61 ff., and the articles and writings

of Oehler and Küper, mentioned there, p. 223, with which compare Dillmann, "Propheten," in Schenkel's *Bibellex.* iv. pp. 606–629; and F. Kleinert, art. "Prophet," in Riehm's *Hwb.* — Saalschütz has not the faintest conception of the nature of prophecy when he finds nothing more, *Mos. R.* p. 128, in the prophetic order than: "the beginning of unlimited freedom of teaching and speaking!"

(4) Thus the seventy elders, on whom a portion of the spirit of Moses was put, that they might aid him in bearing the burden of the people, prophesy only once and not again (Num. xi. 16 ff.), and can hardly be regarded as a college of elders which subsisted till the land was taken in possession. The schools of the prophets founded by Samuel and Elijah are also only voluntary societies of men open to impression from God's word, who gathered round these distinguished prophets and worked under their guidance to quicken the theocratic spirit among the people. No prophets of name, however, sprang from among them, and they had no lasting career, for they cease to be mentioned after the death of their spiritual fathers and leaders.

(5) An *Amos* is called to be a prophet from being a herdsman; Zephaniah probably sprang from a royal family; Jeremiah, Ezekiel, and Zechariah were of a priestly family. Even women sometimes appear as prophetesses, Miriam, Deborah, Hulda, Ex. xv. 20; Judg. iv. 4; 2 Kings xxii. 14; with whom we must not confound the wives of prophets, who also bare the name "prophetess," Isa. viii. 3.

§ 147. *The Earthly Kingdom.*

An earthly kingdom was certainly compatible with the theocracy, if the kings submitted unconditionally to the will of Jehovah, were guided by His Spirit, and as the earthly bearers of His divine sovereignty desired only to execute His laws and judgments. — The chiefs of tribes, through their natural equality and the rivalry inevitably prevailing between sinful men, had no one legal head, who especially in difficult circumstances could conduct the government of the State with power and wisdom. In the first instance, indeed, Israel as Jehovah's people was not intended to have any visible earthly head, but was to know the Lord as its King, and live in the confidence that Jehovah, the God of the spirits of all flesh, would not leave His congregation as

sheep without a shepherd, but would set a man over them, who should go out and in before them and lead them out and in (Num. xxvii. 16 f.), as He gave them Moses and Joshua, and after Joshua's death in times of need raised up judges or Shophetim from Othniel down to Samuel. But as God called these different men to the head of the State and entrusted them with the executive power, He could also give His people kings.—This hope, awakened by the promise given to the patriarchs, that kings would go forth from their loins (Gen. xvii. 6, 16, xxxv. 11), the future fulfilment of which Moses contemplates in his last speeches as realized (Deut. xxviii. 36), first received a firm basis in the law relating to the king (Deut. xvii. 14–20), whereby the earthly kingdom is incorporated in the theocracy (1). If the Israelites—so runs the declaration of Moses, *ubi supra*—will set a king over them like other peoples round about, they shall not set over them a stranger, but one of their brethren from the midst of them, and *that one* too whom Jehovah shall choose. And when the chosen king has taken the throne, he shall not be concerned about earthly supports for his power, nor about luxury, voluptuousness, or riches (2); but there shall be given to him by the Levitical priests a copy of the law, and he shall read it diligently and make it undeviatingly the guide of his conduct and government, that he may reign long, he and his sons, in Israel.

This law does not prescribe the introduction of an earthly kingdom; it only provides for the case of Israel desiring a king such as other nations have. In that case it lays down the manner of his choice, and his place in the theocracy. The law came first into application under Samuel in the choice of Saul under his directions to be king, wherewith the earthly kingdom began in Israel (3).—Saul and afterwards David are chosen by Jehovah to be princes over Israel, and anointed by the prophet Samuel, acting under divine authority, to their office (1 Sam. x. 1, xvi. 13). Then they are made known to the people as the chosen of God, and acknowledged by them. In this connection, in the first instance, the "law of the kingdom" is proclaimed by Samuel, inscribed in a book, and deposited before Jehovah, *i.e.* in the tabernacle (1 Sam. x. 17–25); in the second case, on David's

actual entrance on his government he makes a covenant before Jehovah with the people (2 Sam. v. 3).—With anointing as the symbol of the divine consecration, the providing with the power of the Divine Spirit needed for reigning (comp. § 64), there were conjoined crowning, *i.e.* placing a diadem on the head (נֵזֶר, 2 Kings xi. 12; 2 Sam. i. 10) as the sign of royal dignity (4), and the homage of the people, to which expression was given in solemn acclamations (1 Sam. x. 24; 1 Kings i. 25, 39; 2 Kings xi. 12).—The law of the kingdom, however, thus announced, or the covenant which was made by the king with the people before Jehovah, was not an agreement between the king and the heads of tribes or elders as representing the people, not a constitution in the modern sense. On the part of the king it was a solemn promise to govern the people according to the divine law, a copy of which was no doubt presented to him at the time (comp. 2 Kings xi. 12); and on the part of the people it was their express undertaking to be subject to the king as their God-appointed ruler (5).—The kings set by Jehovah over His people were not constitutional princes, with whom the popular representatives had to conclude an "electoral compact." They were independent of the people. And if the popular chiefs hesitated or refused to acknowledge them, they were guilty of sinful insurrection against the sovereignty of their God-King, for which they were visited with divine punishment. The kings were dependent only on Jehovah. For their government they were not only bound to the Mosaic law, but were also under obligation to follow the will of Jehovah made known to them by the prophets. If not, they were rejected (1 Sam. xiii. 13, xv. 26 ff.) or otherwise chastised. It was not any popular representation whatever, but solely the God-appointed order of prophets which was the theocratic power that held the arbitrary will of the kings in check, and testified by word and deed to the supreme sovereignty of the God-King.

(1) The objections to the Mosaic origin of this law are refuted by Hengstenberg, *Beitrr.* iii. p. 246 ff., and in the 2nd ed. of Hävernick's *Hdb. d. Einl.* i. 2, p. 473 f. Comp. also the concise article, "Königthum in Israel," by Oehler in *PRE.* viii. p. 8 ff.

(2) The law literally runs thus: "Only he shall not have many horses, nor cause the people to return to Egypt, to the end that he may have many horses; neither shall he have many wives, that his heart turn not away; neither shall he greatly multiply to himself silver and gold" (ver. 16).—The many horses point to the strengthening of his power by a standing army (comp. Isa. xxxi. 1); and the "many wives," who might easily turn away the heart, serve not only to gratify lust, but still more to the splendour of Oriental rulers. Comp. my comm. on 1 Kings xi. 3.

(3) Gideon had declined the kingly dignity offered to him, certainly not in a theocratic sense, as impairing the sovereignty of Jehovah (Judg. viii. 23); and the three years' reign of the bastard Abimelech over Israel at Shechem (Judg. ix.) was wholly ephemeral, and a pure tyranny. Under Samuel, also, the disposition of the people, which gave rise to their desire for a king, was "a denial of Jehovah's right of sovereignty, and of the theocratic glory belonging to the people; a failure to recognise the power and faithfulness of the covenant God, and the true foundation of national prosperity, in so far as the reason of their misfortunes was not sought in their apostasy from God and His law, but in their defective constitution, and in so far as their hope of a better future, instead of resting on the conversion of the people to their God, was built on the setting up of a better constitution" (Oehler, *ubi supra*, p. 10). Nevertheless, after warning them by Samuel (1 Sam. viii. 9 ff.), God acquiesces in their desire, because their cry for help against the Philistines had come up before Him (1 Sam. ix. 16), to rescue them from this oppression by a king, because the earthly kingdom did not in itself stand in opposition to the theocracy.

(4) Though this is first mentioned when Joash ascends the throne, it no doubt took place from the earliest times, for even Saul wore a diadem (2 Sam. i. 10), and David a golden crown (עֲטֶרֶת פָּז, Ps. xxi. 4; comp. lxxxix. 39, and cxxxii. 18, נֵזֶר). Both words denote the same, for the kings had not a diadem and a crown, as Jahn (*Bibl Archäol.* ii. 2, p. 225) thinks, but the crown had the form of a diadem. Comp. Hengstenberg, *Christology*, iii. p. 33 [T. & T. Clark's series]. The remaining insignia of the royal dignity were the *sceptre* (שֵׁבֶט), originally a long straight rod, shepherd's staff, as the sign of sovereignty, instead of which Saul commonly carried a spear (1 Sam. xviii. 10, xxii. 6); and the *throne* (כִּסֵּא), a high seat with arms, afterwards, in Solomon's day, very magnificent and lofty (1 Kings x. 18 ff.), as the symbol of the glory and exaltation of the kingdom.

(5) The view of J. D. Michaelis (*Mos. R.* i. § 54 f.), drawn from modern theories of constitutional kingdoms, and which

has been widely spread by his authority, holding a "right of election by the people," and "electoral compacts," is without ground, either in the law, which concedes no electoral *right* to the people, but assigns the choice to God; or in the history, for neither Saul nor David is chosen by the people. The choice of Jeroboam, as a rising against God (comp. my comm. on 1 Kings xii.), cannot establish any legal right.—The covenant which David made at Hebron (2 Sam. v. 1–3; 1 Chron. xi. 1–3) for all the elders of Israel (not *with* them, which is opposed by the כָּרַת לְ), cannot be taken to mean that "the elders of the tribes laid a compact before David," for this one reason, that the elders come to him with the acknowledgment: "Jehovah said to thee, Thou shalt *feed my people Israel*, and thou shalt be prince over Israel." In the words: thou shalt feed my people Israel, the rights and duties of the king are declared; in the words: thou shalt be prince over Israel, the relation of the people to the king. Similar was the covenant which the high priest Jehoiada made between Jehovah and the king and people when Joash ascended the throne (2 Kings xi. 17); and analogous to this was the law of the kingdom announced by Samuel when Saul entered on the government; comp. Oehler, *ubi supra*, p. 11.

The kingdom was first firmly established, and acquired a truly theocratic meaning, under David. For Saul, given to the people as their king on a desire proceeding from an ungodly disposition, soon exalted himself above his proper place, and was rejected because of his opposition to the will of the Lord, revealed to him by Samuel. David, on the contrary, proved himself to be a man after God's heart, and the rightful shepherd set over His people, by the measures which he took immediately after he entered on his reign over all the tribes. After taking the stronghold of Zion from the Jebusites, he not only made the city of Zion his residence, but, by establishing the ark of the covenant there, and setting up a tent for it to secure the orderly observance of the worship of Jehovah, he raised it to be the seat of the sanctuary, and thereby the dwelling-place of the King of Glory (Ps. xxiv. 7 ff.). Further, he not only built a palace on Zion for himself (2 Sam. v. 11), but determined to build one for the Lord of Sabaoth, in which His name should dwell (2 Sam. vii. 2 ff.); thus giving a practical proof that his kingdom could be a source of blessing, and enjoy prosperity only under the protection and aid of the true

theocracy. Hence he also received through the prophet Nathan the divine promise: that Jehovah would confirm the kingdom to him, and to his seed after him, which should proceed out of his loins, *i.e.* his posterity, and establish the throne of his kingdom for ever (2 Sam. vii. 12 ff.).—By this promise, as well as by the building of the temple, which, in accordance with divine instructions, was not carried out by David himself, but by his son Solomon, the earthly kingdom became the visible representation of Jehovah's sovereignty over Israel Zion, or Jerusalem, became the central point, not only of the earthly kingdom, but of the kingdom of God founded in Israel; and the theocratic king was Jehovah's representative, who, sitting on "Jehovah's throne" (1 Chron. xxix. 23), or that of "Jehovah's kingdom" (xxviii. 5), secured for the people God's judgment and justice (2 Sam. viii. 15), and overcame their enemies. He also watched over all theocratic institutions, provided for the maintenance, and, when necessary, the restoration of the sanctuary and legal worship (1 Kings vi.–viii.; 2 Kings xii. 4 ff., xxii. 3 ff.), took the oversight even of the priesthood, and regulated their service (1 Chron. xxiii. ff.; 2 Chron. xxix.–xxxi., etc.). Finally, as chief of the people, he appeared at their head before God in the sanctuary, and offered praise and sacrifice in name of the congregation (2 Sam. vi. 18; 1 Chron. xxix. 10; 1 Kings viii. 14 ff.), without, however, invading the rights and functions in the matter of public worship, which belonged to the priesthood (6).

The kingdom was intended to be hereditary in Israel, as among most ancient peoples (Deut. xxvii. 20; comp. 1 Sam. xiii. 13); but it first became so under David in virtue of the divine promise (2 Sam. vii. 12 ff.), which was not set aside by the apostasy of the ten tribes from the royal house of David, wherewith his seed, after Solomon's death, were punished, in consequence of his idolatry (7). As a rule, unless the Lord, by His prophets, as in the case of Solomon, appointed otherwise (1 Chron. xxviii. 5 f.), the eldest or first-born son followed his father on the throne (2 Chron. xxi. 3), though not without exceptions (2 Chron. xi. 22; 2 Kings xxiii. 35). If the king from illness was unable to reign, his son and successor undertook the government (2 Kings xv. 5). When the successor was yet a minor, a regency probably intervened, unless the

queen-mother, as גְּבִירָה, lady sovereign, who in any case had the greatest authority with the young king (8), or the high priest as guardian, acted as his guide (2 Kings xii. 3).

(6) That when the kings offered sacrifice (2 Sam. vi. 17; 1 Kings iii. 4, viii. 62 ff., ix. 25 ff.) the mediation of the priests is not excluded, but is to be presupposed as a matter of course, is rightly acknowledged by Oehler, *ubi supra*, p. 12. But this writer's view, that the Israelitish king, especially in the instances of David and Solomon, bore a certain priestly character, needs to be greatly limited. It is true that "the king at the head of the people and in their name offers praise to God." But here there is no priestly function, for every father could come before God with his household and pray for himself and his house. And the further assertion: "and in return brings back to the people the divine blessing," is not contained in the passages adduced for it, 2 Sam. vi. 18; 1 Chron. xxix. 10; 1 Kings viii. 14, 55. For in 1 Chron. xxix. 10 the words are: "David blessed (יְבָרֵךְ, *i.e.* praised) Jehovah before all the congregation." In 1 Kings viii. 14 and 55, the בֵּרַךְ denotes only the supplication and thanksgiving celebrating God's glory, which Solomon uttered with his face turned to the congregation and in their name. Lastly, that the וַיְבָרֶךְ אֶת־הָעָם בְּשֵׁם יְהוָה in 2 Sam. vi. 18 does not denote the giving of the priestly blessing, but only a prayer for blessing in praise of God with which David dismissed the people at the close of the religious solemnities, is shown by the analogous passage, 2 Chron. xxxi. 8: "Hezekiah and the princes blessed (praised) Jehovah and His people Israel." — Thenius, *Comm. z. d. BB. d. Kön.* pp. 152 and 361, 2nd ed., maintains that "Solomon acted as high priest in his own person," and, "the vigorous King Uzziah wished to restore the high-priestly power exercised by David and Solomon." But of this not a trace is to be found in the Old Testament. Rather Uzziah's daring to offer incense in the holy place was a criminal invasion of priestly rights (Num. xviii. 7), for which he was immediately smitten by the Lord with leprosy, 2 Chron. xxvi. 16 ff.; 2 Kings xv. 5.

(7) Comp. 1 Kings xi. 36. Undoubtedly Jeroboam receives the promise, that if he will keep the divine commands, God will build him an abiding house, as He has built for David; but it is added, that the humiliation of David's house will not last for ever (ver. 39), by which is meant, that the promise of the everlasting kingdom will be realized in David's dynasty notwithstanding its temporary abasement.

(8) This is indicated by the very name גְּבִירָה, 1 Kings xv. 13, 2 Kings x. 13, Jer. xiii. 18, as well as by the circumstance, that on

the succession of almost every king to the throne the name of his mother is given, 1 Kings xiv. 21, xv. 2, etc.; and by the fact that Bathsheba seats herself on the right of the king her son, 1 Kings ii. 19, comp. with i. 16. Comp. Oehler, *ubi supra*, p. 14, note.

Through David and Solomon the kingdom acquired great earthly magnificence and glory. As "anointed of the Lord," their kings were in the eyes of the people holy persons (1 Sam. xxiv. 7, 11, xxvi. 11, 16, 23; 2 Sam. i. 16), without being deified as among other Oriental nations, and without becoming inaccessible to their subjects. Rather they pronounced sentence personally before the people in the highest case of appeal (2 Sam. xv. 2; 1 Kings iii. 9, 16 ff.), and commonly led their own troops in war (1 Sam. xiii. 2 ff.; 2 Sam. v. 6, etc.), appearing on many other occasions among the people to make arrangements (Isa. vii. 3) and to conduct festivities (1 Sam. vi.; 1 Kings viii.). For the immediate carrying out of their commands, and to protect their persons in war, they had a bodyguard, the Cherethites and Pelethites, who also executed the sentences pronounced by them (9). In their administration and government they were supported by court and State officials, who served them as *princes* (שָׂרִים, 1 Kings iv. 2) or counsellors (יֹעֲצִים), whose relative rank, however, cannot be exactly determined. In 2 Sam. viii. 16–18, xx. 23–26; 1 Chron. xxvii. 32–34, and 1 Kings iv. 1–6, the following are named:—(*a*) The head of the army or commander in chief (עַל כָּל־הַצָּבָא); (*b*) The commander of the Cherethites and Pelethites. (*c*) The recorder (מַזְכִּיר), probably the superintendent of the State archives (10). (*d*) The secretary of State (סוֹפֵר) (11). (*e*) The high priest. (*f*) Privy councillors, under the title *Cohanim* or friends (רֵעֶה) of the king, called also "the first at the hand of the king," 1 Chron. xviii. 17; "who stand before the king," 1 Kings xii. 6; "who see the face of the king," 2 Kings xxv. 19; Jer. lii. 25. (*g*) The overseer of public works (State buildings), or master of tributary servants (עַל הַמַּס) (12). (*h*) The steward of the royal domains and treasures (13). (*i*) The court marshal or prefect of the palace (נָגִיד עַל הַבַּיִת or אֲשֶׁר עַל הַבַּיִת). To these were added other court officials, such as cup-bearer (מַשְׁקֶה, 1 Kings x. 5), keeper of the wardrobe (אֲשֶׁר עַל הַמַּלְתַּחַת, 2 Kings x. 22), and inferior servants. Besides

these, after the fashion of Oriental sovereigns, though at variance with the law, there belonged to the luxury of the kings of Israel (comp. Eccles. ii. 4 ff.) a large number of wives and concubines (2 Sam. v. 13; 1 Kings xi. 3; 2 Chron. xi. 21), who on the death of the king became the property of his successor (2 Sam. xii. 8) (14).

Regarding the revenue of the kings to meet the expense of their court, the gifts bestowed by them and other State necessities requiring to be borne by the royal treasury, there is nothing laid down in the law relating to the king. Nor can this be gathered from the "judgment of the king" (מִשְׁפַּט הַמֶּלֶךְ), held up to the people by Samuel, 1 Sam. viii. 10 ff., for a warning, for this "judgment" is intended only to characterize the high-handed conduct of a despot. According to the various historical notices of the Old Testament on the subject, the king's revenues were derived from the following sources: —(*a*) The voluntary gifts of persons seeking an audience, for Oriental custom requires that no subject approach his king without a gift in expression of his homage (1 Sam. x. 27, xvi. 20), partly also those of foreign visitors (1 Kings x. 10, 25; 2 Chron. xxxii. 23). (*b*) Regular contributions in kind made by the subjects for the royal court (1 Kings iv. 7; comp. 1 Sam. xvii. 25). (*c*) Involuntary presents, *i.e.* tribute paid by subject peoples (2 Sam. viii. 2; 1 Kings v. 1; 2 Kings iii. 4; Isa. xvi. 1). (*d*) The share, assuredly not a small one, in the spoil taken in war (2 Sam. viii. 11, xii. 30). (*e*) The produce of the royal domains, *i.e.* of the fields, vineyards, forests, and flocks acquired by their private means (15) (1 Chron. xxvii. 25 ff.; 2 Chron. xxvi. 10). Finally, the gain by trade, shipping, and other royalties (1 Kings x. 11, 14 f., 22 f.; Amos vii. 1).

The legitimate kingdom in Israel lasted till the destruction of the State by the Chaldees, whereas that of the apostate ten tribes perished much earlier, and through its incessant, generally bloody change of dynasties, manifested itself as a sinful kingdom (Amos ix. 8). With the judgment which overtakes Zedekiah the Davidic kingdom is suspended "until He come whose right it is" (Ezek. xxi. 27, comp. xvii. 22), to whom God will give the throne of His father David (Luke i. 32). "The Herodian kingdom, at

variance with the theocratic order (Deut. xvii. 15) even for the one reason of its Idumean origin, is a mere caricature" (16).

(9) הַכְּרֵתִי וְהַפְּלֵתִי, 2 Sam. xv. 18, xx. 7; 1 Kings i. 38, 44. Joseph. *Antiq.* vii. 5. 4: σωματοφύλακες, for which in later times הַכְּרִי וְהָרָצִים, 2 Kings xi. 4, 19, denoting strictly executioners and runners; others, on the contrary (*e.g.* Rüetschi in *PRE.* viii. p. 53 ff.), explain the words by: "Cretans and Philistines," and "Karians and runners." Comp. my comm. and that of Thenius on 1 Kings i. 38.

(10) מַזְכִּיר, LXX. Isa. xxxvi. 22: ὑπομνηματογράφος; 2 Sam. viii. 16: ἐπὶ τῶν ὑπομνημάτων; Vulg. *a commentariis,* which have led most to understand by the term the royal annalist. Thenius, however, on 1 Kings iv. 3, understands it to mean, the officer "who as μνήμων was to bring to the king's recollection the matters of State which needed to be considered, and assist him with his counsel."

(11) סוֹפֵר, strictly *writer,* the king's or State secretary, not an army official, as Michaelis thought; comp. Oehler, *ubi supra,* p. 15.

(12) The tributary works were not so much the concern of the king as of the State, for general State purposes,—building of the temple, strongholds, perhaps also palaces,—in which Solomon employed at first the remaining Canaanites who were made tributary slaves (1 Kings ix. 20; 2 Chron. ii. 16 f.; comp. 1 Kings v. 29), but also Israelites (1 Kings v. 27, xi. 28, xii. 4). —The combination of these different passages in Bertheau on 2 Chron. viii. 10 is not only at variance with 2 Chron. ii. 16 f., but with 1 Kings v. 27–29; comp. my comm. on the passage.

(13) According to 1 Chron. xxvii. 25–31, David had twelve overseers of his treasuries (exchequers) and domains, who were called שָׂרֵי הָרְכוּשׁ. On the contrary, there are mentioned as belonging to Solomon, 1 Kings iv. 7–19, twelve perfects, נְצָבִים, whose business it was to provide supplies for the royal court in the various parts of the kingdom, and who were under a chief prefect (ver. 5).

(14) But a "harem," in the strict sense of the word, "guarded by eunuchs" (Winer, *R.W.* i. p. 668), cannot be proved for the earlier times of the Israelitish kingdom. Nowhere is there mention of סָרִיסִים, *eunuchi,* under David and Solomon, except in 1 Chron. xxviii. 1, where, however, only court officials in general are meant, the chronicler here, as frequently, having transferred the language of his time to the earlier period; comp. Bertheau on the passage. — As no one who was mutilated was to be

admitted to the congregation of the Lord (Deut. xxiii. 2), David would certainly not include eunuchs in his invitation to the assembly, in which he laid on the heart of his son and his whole people the building of the house of God.—The passage, 1 Sam. viii. 15, forms no historical proof. Elsewhere *Sarisim* (Luth. *Kämmerer*) [chamberlains] are mentioned only as royal adjutants, first in the kingdom of the ten tribes under Ahab, 1 Kings xxii. 9, and later, 2 Kings viii. 6, ix. 32, in the kingdom of Judah, first under Josiah, 2 Kings xxiii. 11; but nowhere as keepers of the harem, like those in the Persian kingdom, Esth. ii. 3, 14, iv. 4 f.

(15) Godless kings also appropriated private property by confiscation, 1 Kings xxi. 15 f.; comp. Ezek. xlvi. 18. Taxes on property in the strict sense are first mentioned at a late period for the covering of war expenses, 2 Kings xv. 20, xxiii. 35.

(16) Oehler, *ubi supra*, p. 14.—See the Rabbinical ordinances respecting the kingdom in Wilh. Schickardi *Jus regum Hebr. c. animadvv. et not.* J. B. Carpzovi, Lps. 1674, 4; and Othonis, *Lex. rabb. phil.* p. 575 sqq.

SECOND SECTION.

ADMINISTRATION AND COURTS OF LAW

FIRST CHAPTER.

LAW COURTS.

§ 148. *Idea and Origin of Civil Law and Justice.*

Law is an ethical order founded on the order of nature, and in its idea an outflow of the divine righteousness which rules in the preservation and government of the world. In its earthly form it is partly a product of traditional observance and habit, partly positive prescription, or what has been laid down by magistrates or lawgivers. In neither case, however, is it a human ordinance voluntary or involuntary, but springs from the divinely ordered fundamental relations of human society and man's innate or concreated moral consciousness; and—because having its origin in God through natural institutions as well as in the human conscience—it is a power over man, to which individuals as well as human societies are

subjected. No doubt habit, like manners and speech, is gradually, almost imperceptibly, formed from the objective institutions of the land, people, and race under whose influence every man grows up. This takes place, however, not in the way of subjective caprice, but with an inward necessity in virtue of the consciousness of right which fills the individual, the family, the people, as a moral substance and determining impulse. But since the relations which generate habits and establish standards of life change with the progressive development of men and nations, and since traditional arrangements and institutions no longer suffice for the new relations, or no longer correspond to them, legislation must step in whenever such a contradiction has arisen and complete or modify the traditional legality, and fashion it so as to correspond to the advanced relations of life (1).

So we find also among the Israelites a consuetudinary law (2), which is partly completed by the Mosaic legislation, partly modified and, so far as it was incompatible with the mission of Israel to be God's people, abolished and replaced by new institutions and ordinances corresponding to the new life relations.

As law, so the administration of law (*judgment*) flows from the divine righteousness. By judgment law is realized, legality is preserved and restored again, if it has been outraged. "The judgment is God's" (לֵאלֹהִים), so it runs Deut. i. 17 (3); for by it righteousness passes into action as a protecting and retributive power; protecting and assuring the arrangements and institutions of civil life; retributive, by visiting with reward or punishment, according as the claims and prescriptions of law are fulfilled or transgressed. Its reward, however, does not consist so much in special distinctions, as in unimpaired enjoyment of the blessings of life secured by civil order. Accordingly civil judgment, as the bearer and preserver of law, or the judicial office, has chiefly to watch over the fulfilment of existing laws and rights, and only to intervene against transgression by way of punishment, to prevent injustice and restore right (4).

(1) Comp. the instructive development of the idea and origin of Law in Stahl, *Die Philosophie des Rechts*, ii. p. 161 ff., 2nd ed.

(2) Comp. Conr. Iken, *De institutis et cæremoniis legis Mos.*

ante Mosen, diss. i. § 14 sqq., ii. § 15 sqq.; Michaelis, *Mos. R.* i. § 3; Hengstenberg, *Beitrr.* iii. p. 340 f., etc.; and Winer, *R.W.* i. p. 416.

(3) Accordingly, "seeking justice is an inquiring of God, Ex. xviii. 15; he who appears before the judgment-seat comes before God, Deut. xix. 17; thus also are to be explained the expressions, 'he shall bring him unto God,' Ex. xxi. 6; 'he shall come near unto God,' xxii. 8, whether we are to suppose that they refer to God ruling in the administration of justice (comp. also Ex. xviii. 19), or whether it be that the judges themselves as God's representatives are directly called Elohim (comp. xxii. 27 [?]; Ps. lxxxii. 1, 6)." Oehler in *PRE.* v. p. 57.

(4) Comp. Stahl, *ubi supra*, p. 244 ff.

§ 149. *Judges and Courts of Law.*

In patriarchal times the head of the house had the judicial power over all belonging to his household, even over life and death (Gen. xxxviii. 24). As families multiplied, this power naturally passed over to the heads of tribes and clans, who, besides administering the affairs of the tribe, also exercised the judicial office over their tribesmen, so far as this was possible among the Israelites in Egypt. But when Moses had delivered the people out of the bondage of Egypt, all those seeking justice turned to him, the saviour of the people, whom God had so wonderfully accredited as His ambassador (Ex. xviii. 13 ff.). But as Moses was unable to overtake the administration of justice alone, acting on Jethro's advice, he chose from among the heads of the tribes, *i.e.* from the whole of the elders, those men whom the people proposed as wise, understanding, God-fearing, upright, and disinterested, and appointed them to be judges as chiefs (שָׂרִים) over thousands, hundreds, fifties, and tens, and to be *Shoterim* for the tribes, with the command to decide all small matters righteously without respect of persons, but to bring more difficult cases to him for decision, that he might, if necessary, bring them before God (Ex. xviii. 19–26; Deut. i. 13–18).

This arrangement for the administration of justice stood in close connection with the already existing tribal constitution of the people, not only from the fact that Moses chose the judges from the elders, *i.e.* the men who had hitherto stood at

the head of the tribes and divisions of tribes, but no doubt also in respect of the classification of the newly organized judges, in the naming of them over thousands, hundreds, etc. This division may have corresponded to the military organization of the people, which had become necessary on the march, for in Num. xxxi., fourteen chiefs (שָׂרִים) are mentioned over thousands and hundreds as military commanders (פְּקוּדֵי הֶחָיִל) (1). But this military organization itself was not merely determined by a count of heads, but corresponded with the natural division of the tribes into clans, which were also called thousands, into fathers' houses, and smaller groups of families.

Thus, both for military service and for the administration of justice, the clans were ordered and divided in thousands, and the larger and smaller divisions of the clans in hundreds, fifties, and tens.

The relation of these judges to one another is not exactly defined in the biblical text; but from what has been said, we are not at liberty to conceive of it as a succession of courts rising in order above one another, so that litigants could appeal from the judge over ten to the judge over fifty, and so on. Neither may we suppose the relation to have been such that the decarch could only decide the most trifling matters, the pentacontarch more important ones, the hecatontarch more important still, etc. (2). For we have not to think of inferior and superior judges in the sense of appeal courts, because the Mosaic law knows nothing of such whatever. Rather, the judges named by Moses, each in his own jurisdiction, were to decide finally in small cases, *i.e.* such as could be easily investigated and pronounced upon, and only the weightier matters, *i.e.* those on which they could not venture to pass sentence, were they (the judges, not the litigants) to bring to Moses for decision (3). Thus defined, the division of the judges could only have related to the varying extent of their jurisdiction, or have consisted in this, that the judges over thousands were appointed to settle the disputes between the tribes and chief clans of the people; the judges over hundreds, etc., the quarrels between the larger and smaller divisions of the clans and families.

(1) J. Schnell, *Das israel. Recht in seinen Grundzügen dargestellt*, Basel 1853, p. 6; and Oehler in *PRE.* v. p. 58, suppose

that these military leaders over thousands and over hundreds also acted as judges. This is possible, but not certain.

(2) So Knobel on Ex. xviii. This view has been more sharply defined by J. Schnell, *ubi supra*. He holds that the judges in a smaller range were appointed for less important matters, the others for higher, and the heads of thousands perhaps for cases of life and death. This he has sought to establish from Deut. xxi. 5, where a distinction is made between two kinds of cases, which may be called "controversies and strokes;" and from xvii. 8, where blood, matters of controversies and strokes, are opposed to one another, and thus a threefold division is given, similar to that in the history of Jehoshaphat (2 Chron. xix. 10). Only these distinctions into controversies and strokes (רִיב and נֶגַע) or into blood, matters of controversy and strokes do not in the least imply different tribunals but only different suits, which the judicial authority should bring before the higher tribunal should the decision appear too difficult for it. Still less can we infer with Schnell, from Num. xxxv. 24, which requires the congregation to decide in questions of bloodshed, that the decision on this subject belonged only to the judges over thousands.—On the contrary, Hengstenberg, *Beitrr.* iii. p. 417, supposes that the judges were chosen according to the relative grades of the clans, larger and smaller families; and that a natural subordination existed between them, so that the heads of clans were presidents, the heads of the larger or smaller families assessors, with greater or smaller voting power.

(3) The difference between small (קַטֹּן) and grave (קָשָׁה) matters was very clearly developed by J. Selden, *De Synedriis*, lib. i. c. 16: "Causa difficilior et major censebatur ob dubia in ea juris quod subinde etiam ab ipso Numine tunc auctum Mosique explicatum. Difficilior autem non erat . . . ulla puto, sive capitalis, sive pecuniaria, sive alia, sive sacra sive profana, cujus jus satis selectis illis judicibus exploratum cognitumque," referring to Deut. i. 17 (p. 349). And, at the same time, he refutes the idea of appeals to a higher court: "non omnino video causam ejusmodi aliquam, sive sacram sive profanam, sive capitalem sive pecuniariam seu quocunque nomine alio dictam ita Mosi reservatam, ut apud eum solum agi judicarive necessario deberet. Universæ judicibus illis seu præfecturis permissæ. Nec quod aut sacra aut capitalis esset aliove ejusmodi nomine diceretur, ideo deferenda erat ad Mosem causa aliqua ejusmodi, sed tantum ob difficultatem quæ accideret in jure explicando, sive ipsa juris capita spectes sive pœnarum discrimina ex eodem jure introducta" (p. 350).

These general rules regarding judges remained in force for

after times, when the Israelites had come into possession of Canaan. For this period there is only the quite general command in Deut. xvi. 18: "Judges and *Shoterim* shalt thou make thee in all thy gates (cities), that they may judge the people with just judgment;" "if there be a controversy between men" (Deut. xxv. 1 ff.), because the earlier arrangements made (at Horeb) for the choice and jurisdiction of the judges were to remain in force. These judges also, who formed the *local justices* in the several cities, had to pronounce finally in all minor controversies, *i.e.* such as it was easy to decide by law, and to punish the guilty. For the more difficult cases, however, which during the march through the wilderness were brought to Moses for decision: "If there arise a matter too hard for thee in judgment between blood and blood, between plea and plea, and between stroke and stroke," *i.e.* if the judge was in doubt under which category to put an assault or any other matter of complaint, or by what law the guilty was to be punished,—for these cases a *higher court* is appointed in Deut. xvii. 8, comp. with xix. 16 ff., which is to have its seat at the place of the sanctuary, and to consist of priests and judges, with the high priest and a (secular) supreme judge. In this supreme court the lay judge had to conduct the investigation (Deut. xix. 18), the priests to give guidance from the law (Lev. x. 11), in virtue of the obligation lying on them, to instruct the children of Israel in all the commandments which Jehovah gave to Moses (Deut. xvii. 11); finally, the judge had to pronounce sentence (4). Even this supreme court is not the court of appeal, "for it does not judge when the local tribunal has already pronounced sentence, but in cases in which the latter has not ventured to decide" (5).

As to the composition of the local courts in the several cities, only thus much is clear from the law, that they consisted of judges in the proper sense and Shoterim (6). Besides these, the elders of every city formed a *senate* or *magistracy*, whose duty it was, as representatives of the congregation or citizens, to remove the evil from the midst of them. This senate had also to decide various simple family matters which required no deeper judicial investigation, and required to punish the guilty even with death (7), as well as to give up

the deliberate man-slayer to the avenger of blood (Deut. xix. 12.

(4) In Deut. xvii. 8–12, it is true that besides the Levitical priests only "the judge" is named "who shall be in those days," and he is then placed, ver. 12, by the side of "the priest who stands to minister there to the Lord," *i.e.* the high priest. But from Deut. xix. 17 it is evident that other judges besides were associated with the lay judge. It is perfectly arbitrary on the part of Saalschütz, *Mos. R.* p. 72, to explain the words, Deut. xvii. 8: "Go to the Levitical priests *and* to the judge who shall be in those days," compared with ver. 12: "The man that will do presumptuously, and will not hearken unto the priest or unto the judge," to the effect that "in legal disputes one could turn regularly to the college of *priests* in the capital, *unless* the supreme judicial power was in other hands." Rather it is quite clear that, besides the Levitical priests and besides the "priest," *i.e.* the high priest, a supreme judge is named and put on an equality with the high priest. By this supreme judge, or the "judge who shall be in those days," we have no doubt to understand the civil head of the people, the so-called judges in the times after Joshua, after them the kings. The priests, however, who sat in this supreme court, took their place not in the capacity of judges strictly so called, but as teachers of the law, who were to give guidance in disputed or obscure legal questions "according to the sentence of the law" (Deut. xvii. 11), so that "by their word every controversy and stroke" was decided (xxi. 5).—As belonging to this supreme tribunal there is specially mentioned, Deut. xix. 16, the case of one seeking to bring another under the guilt of a crime by false witness. But whether in this case the litigants themselves had the right to bring the matter before the supreme tribunal—as E. Riehm, *Die Gesetzgeb. im Lande Moab*, p. 64, understands the passage—is still doubtful; for the words: then both the men between whom the controversy is, shall stand before the Lord, before the priests and the judges, who shall be in those days (xix. 17), may also be understood according to the analogy of xvii. 8 ff., in the sense that the local court was to hand over the matter with the litigants to the supreme tribunal.—Saalschütz, *ubi supra*, p. 591, is entirely mistaken when he infers from Deut. xvii. 12 that the right was given to this highest judicial court to punish with death the insubordination of the inferior courts. For this verse speaks of the resistance, not of the judges, but of the judged. — For full explanations of this supreme court, see J. Gerhard, *Comment. in Deuter.*, c. 17, p. 1025 sqq.

(5) Oehler, *ubi supra*, p. 59.

(6) The *Shoterim*, as those who made the entries in and kept the genealogical lists (comp. my comm. on Josh. i. 10), were associated with the judges, not merely as writers, but as counsellors, in so far as possession and other legal relations were closely connected with lineage and succession; perhaps also as police to carry out the sentences passed. For the various views on the subject, see Selden, *De Synedr.* i. p. 342 sq. In the Mosaic law, neither their relation to the judges nor the number of judges needed for a city court is determined. Josephus paraphrases the law thus: Ἀρχέσθωσαν δὲ καθ' ἑκάστην πόλιν ἄνδρες ἑπτὰ, οἱ καὶ τὴν ᾐρετὴν καὶ τὴν περὶ τὸ δίκαιον σπουδὴν προησκηκότες· ἑκάστῃ δὲ ἀρχῇ δύο ἄνδρες ὑπηρέται διδόσθωσαν ἐκ τῆς τῶν Λευιτῶν φυλῆς, *Antiq.* iv. 8. 14. He thus makes the city courts consist of seven men, to whom were added two assistants (probably he means the Shoterim) from the Levites. Only this statement is certainly borrowed from much later times and institutions, since according to the Mosaic law the Levites have nothing to do with the administration of justice, but the judges as well as the Shoterim are to be chosen from the elders. But it does not seem to square even with the later relations; comp. Selden, *l.c.* lib. ii. p. 165 sqq.—In the Talmud (*Sanhedrin* i. 6, etc.) two kinds of local courts are discussed, the one consisting of twenty-three men (בתי דינים של עשרים ושלשה) for the larger cities, the other of three men (ב' ד' של שלשה) for townships and the smallest cities. But even these statements seem to have little historical ground, as may be judged from the way in which the Talmudists attempt to derive this number of judges from Num. xxxv. 24 f., xiv. 27, and other passages of the law. Comp. Selden, *l.c.* lib. ii. p. 144 sqq., and the collection of Rabbinical statements, and of the various judgments on these so-called *small* Sanhedrim in Leyrer, *PRE.* xv. p. 324 f. On the contrary, it is proved by Schürer, *New Test. Times*, i. p. 151 f., that the idea of local courts consisting of three members rests purely on a misunderstanding of a few passages of the Mischna, in which only those questions are reckoned to the deciding of which, and those actions to the performance of which, three persons are sufficient. The smallest local court consisted in reality of seven persons. This may be gathered, partly from the above given paraphrase of the Mosaic law by Josephus, which, as it does not occur in the law, he manifestly took from the actual state of things in his own time; partly from the circumstance, that when he wished to set up a model constitution in Galilee, he instituted a court of seven men in every city (*bell. jud.* ii. 20. 5).—In more ancient times, however, the number of judges in different

cities was very probably unequal, and only in a general way corresponding to the number of inhabitants according to the command: to set judges over tens, fifties, etc. — We can hardly suppose that the order of judges strictly so called embraced the *umpires*, פְּלִלִים, mentioned Ex. xxi. 22, as charged with estimating damage done to the body, of whom it cannot be determined whether they were chosen for such purposes by the judges or by the litigants, and whether in the latter case they decided the matter without calling in the judges.

(7) As of this kind there are mentioned in the law: the punishment of an unruly and rebellious son, Deut. xxi. 18 ff.; a husband's calumniating of a virgin's chastity whom he has married, xxii. 13 ff.; and the disposing of a refusal in the matter of levirate marriage, xxv. 7 ff.—These things all belong more to the department of government than to the administration of justice in the strict sense. The elders had to intervene in such cases, not so much in the character of judges, as in that of representatives of the congregation and upholders of good order. On the contrary, we find in Deut. xxi. 2 the elders and judges acting, but in such a way that here, too, the difference between the two offices is unmistakeable. If a man is found slain in the country, and the murderer cannot be discovered, the elders and judges measure the distance to the cities which lie round about the body, to find out that one on which, as the nearest, the expiation of the crime is incumbent. Then, however, it is the elders of this city alone who perform the rite of expiation, to cleanse it from the suspicion of blood-guiltiness (comp. § 62), in the presence of Levitical priests.—In discovering the city the judges were to co-operate as the representatives of civil law, in the expiatory rite the priests were to be present as the official witnesses and representatives of divine law, while the expiatory clearing of the city from the suspicion of blood-guiltiness resting on it was only the business of the elders as representing the citizens.

In after times, when David, having terminated his wars, was ordering the kingdom, and especially public worship, he appointed six thousand Levites to be Shoterim and judges (1 Chron. xxiii. 4, comp. xxvi. 29), of whom it remains doubtful whether they were associated with the local courts for the general functions they had to discharge, or were only appointed to administer the payments of the people for the sanctuary (tithes, first-fruits, and the like), to watch over these, and in disputed cases give judicial decisions (8). At a later period

Jehoshaphat set himself to improve the civil administration of law, which had probably in the course of time fallen into decay. This king, who was also concerned to spread the knowledge of the law among the people (2 Chron. xvii. 7–9), not only put judges in all fortified cities (2 Chron. xix. 5–7), manifestly from the elders according to the law, but also provided a supreme tribunal in Jerusalem, consisting of Levites, priests, and heads of tribes (רָאשֵׁי אָבוֹת), "for the judgment of Jehovah and for controversies." Over this court the high priest presided for the interest of Jehovah (*i.e.* for the spiritual law), and the prince of the house of Judah for the king's interest (*i.e.* matters of civil right), and the Levites were conjoined with them as Shoterim, with the appointment to give decision (הוֹרוֹת) in all difficult cases which were brought to it from the local courts, 2 Chron. ix. 8–11.

(8) Though the first view is the prevailing one (comp. still Oehler, *ubi supra*, p. 60), the second has the greater probability on its side. For when we compare 1 Chron. xxiii. 4 with xxvi. 29, it comes out clearly that these six thousand Levites are to manage the "outward service" (הַמְּלָאכָה הַחִיצוֹנָה), as distinguished from the service of the other Levites, which, consisting (*a*) in assisting the priests in the cultus, (*b*) in guarding the sanctuary, (*c*) in performing the temple music, might be designated the *inner* service. This contrast is a strong argument for regarding the "outward service" of the Levites set apart to be Shoterim and judges as having to do with the payments of Israel for the sanctuary, or, in other words, was "the oversight of the outward business of the house of God" (Neh. xi. 16; comp. Bertheau on 1 Chron. xxiii. 4 f., and xxvi. 29). We might, perhaps, also bring in proof of this the appointment of these Levites "to be Shoterim and judges,"—whereas elsewhere the names are always put "judges and Shoterim." The argument is good in so far as this order indicates that the Shoterim in this service were superior to the judges, not, as in the local courts, inferior to them.

§ 150. *Judicial Procedure.*

Judicial procedure, or the *course of justice*, was very simple. The judges, whom Moses appointed at Horeb, were to judge the people "at all seasons" (Ex. xviii. 22); and if any one came to Moses for justice, he did so before the tabernacle,

where the lawgiver sat with Aaron and the princes of the congregation to teach statutes and judgments, Num. xxvii. 2; comp. Ex. xviii. 19 f.—The judges in the cities, after the custom of the ancient East, had their seat at the gate (Deut. xxi. 19, xxii. 15; Prov. xxii. 22; Amos v. 11, 15), on the open square of the cities, where the markets were held (2 Kings vii. 1) (1). Here the litigants appeared before them, and presented their complaint orally (Deut. i. 16, xxi. 20, xxv. 1); and the accused who did not appear was summoned (xxv. 8).—Advocates or counsel are unknown in the Old Testament (2). Even the supreme judges of the people administered justice in public; Deborah, *e.g.*, under a palm (Judg. iv. 5), the kings in the gate or court of the palace (2 Sam. xv. 2, 6, comp. xiv. 4 ff.; 1 Kings iii. 16) (3).

(1) Comp. Höst, *Nachrichten von Marokko*, p. 239; and Winer, *R. W.* ii. p. 616.

(2) Counsel can be proved neither from Job xxix. 15–17 nor from Isa. i. 17, as Michaelis, *Mos. R.* vi. § 298, attempts. Both passages refer to judges; comp. Saalschütz, *Mos. R.* p. 594.

(3) Solomon built in his palace, for the porch of judgment, a porch for the throne (1 Kings vii. 7); comp. my comment. and that of Thenius on the passage.—At a later time the princes of Judah exercise judgment in a chamber of the royal palace (Jer. xxxvi. 12), but come out of the king's house into the temple to judge at the entrance of the new gate before the assembled people in the case of Jeremiah, when he is accused by the priests and (false) prophets, Jer. xxvi. 10 ff.

The judge is held bound to hear and to examine closely (4). The proof varied according to circumstances. It might be a simple token attesting the truth, Ex. xxii. 12 [13]; comp. Deut. xxii. 15; Amos iii. 12, even the word of the accuser (Deut. xxi. 18 ff., where parents bring a charge against a rebellious son) (5); commonly, however, it is a declaration of *witnesses*, which was not to be held valid if it came from one, but only if it came from two or three (Deut. xix. 15), especially in criminal cases, Deut. xvii. 6; Num. xxxv. 30. In this connection the judge is commanded to prove the witnesses thoroughly; and if any one is convicted of false witness, he must suffer the same punishment as would have fallen on the accused (Deut. xix. 18 f.). Witnesses do not seem to have

been put on oath (6). Where there were no witnesses, *e.g.* in a case of theft, the oath (שְׁבוּעַת יְהוָה) was to decide (Ex. xxii. 6–11) (7). It would seem, to judge from Prov. xviii. 18 and xvi. 33, that in lack of other evidence and means of discovering the guilty, the lot was applied, though it is not mentioned in the Pentateuch, but only used in Josh. vii. 14 and 1 Sam. xiv. 40 ff. as an immediate divine decision.—Other means for ascertaining the truth, or obtaining a confession of guilt, such as oracles, ordeals, or violence (imprisonment, torture), are unknown to the Mosaic law.—Torture was first introduced as a foreign institution by the Herodians (8).

(4) Comp. Deut. i. 16 f. and xiii. 15, where expressions are heaped up, "to bring out the full, thoroughgoing work of the judge in its solemnity, in its searchingness, its patience." Schnell, *ubi supra*, p. 10.

(5) "If the paternal and maternal heart go so far as to deliver their child to the judge before the congregation of the people, the extremest testimony is afforded which the judge needs to know," Schnell, p. 11.

(6) For the putting of witnesses on oath, Michaelis, *Mos. R.* vi. § 299, adduces the passage, Lev. v. 1; "but what *is* here referred to is not the swearing of witnesses, but a solemn adjuration addressed to those present, by which all who know about the matter are summoned to come forward as witnesses; comp. Prov. xxix. 24." Oehler, *ubi supra*, p. 60; comp. Saalschütz, *Mos. R.* p. 605 ff.—According to Josephus (*Antiq.* iv. 8. 15), only free Israelites, not women and slaves, were allowed as witnesses. Compacts and bargains were also made legally binding by witnesses, Gen. xxiii. 12 ff.; Ruth iv. 9; Jer. xxxii. 10 ff., so that they supplied the place of written documents. Comp. Winer, *R. W.* art. "Zeugen."

(7) An oath in a court of justice is only prescribed in the case of a deposit committed to any one being injured or purloined. Then the depositary could clear himself of guilt by an oath, Ex. xxii. 10 f.; and perhaps also when one refused to his neighbour a deposit committed to him, or something stolen or found, Lev. v. 22 ff.; comp. 1 Kings viii. 31.—If the oath in this last case was falsely sworn, and the person taking it afterwards repented, he had to restore what had been kept back with the addition of a fifth, whereupon he could receive expiation of his sin by a trespass-offering (comp. i. p. 287 f.).—The law affixes no civil punishment to perjury, but only forbids it as a profaning of Jehovah's name, Lev. xix. 12, under threatening of divine retribution, Ex. xx. 7; Deut. v. 11.—In

every case the oath taken before a judgment-seat seems to have consisted of an adjuration addressed by the judge, and responded to by the person sworn with an *amen* (אָמֵן, σὺ εἶπας), 1 Kings xxii. 16; Matt. xxvi. 63. That the person sworn himself uttered a certain formula, as Saalschütz, *Mos. R.* p. 613, thinks, cannot be proved from Ex. xxii. 6 ff. Only in common life did the person swearing himself utter the oath, either: "so Jehovah do to me, and more also," 1 Sam. xx. 13; Ruth i. 17; or: "God (Elohim) do so to me, etc.," 1 Sam. iii. 17, xxv. 22; or: "as Jehovah liveth" (חי יהוה). Judg. viii. 19; 1 Sam. xx. 3; 1 Kings i. 29. But in such cases the name of God was often avoided, and the oath was taken by the life (soul) of the man, to whom one wished to protest by oath, 1 Sam. i. 26; or by Jehovah and the soul of the person addressed (1 Sam. xx. 3, xxv. 26; 2 Kings ii. 2), especially of the king (1 Sam. xvii. 55; 2 Sam. xi. 11); not, however, by the life of the king in his absence, as Winer, *R. W.* i. p. 304, infers from the fact that the Egyptians did so, and that the Persians do so to the present day.—In later times it became common, especially among the Pharisees, to swear by heaven, by the earth, by the temple, the holy city, by one's own head, Matt. v. 34 f., xxiii. 16; comp. Wetzstein, Schöttgen, and Lightfoot on the passage; also Tholuck on Matt. v. 34 f.

(8) Josephus, *de bell. jud.* i. 30. 2 sq.; comp. Matt. xviii. 31 ff.—The ordeal prescribed, Num. v. 11 ff. (see § 61), does not come under the civil administration of justice.—The passages, Lev. xxiv. 22 f., Num. xv. 34 f., where transgressors are detained *until* Jehovah shall decide on their punishment, belong to the time when legislation was not yet concluded; and it has been already remarked, i. p. 235, that the Urim and Thummim was not applied to settle legal disputes. — Very exhaustive and finical are the Rabbinical ordinances regarding judicial procedure. The most important are given by Saalschütz, *Mos. R.*, in his notes to chaps. 87–90, and they are presented in a complete systematic form by Frankel, *Der gerichtliche Beweis nach mosaisch-talmudischem Rechte*, Berl. 1846.

After the case was investigated, sentence was pronounced orally (9), and executed without delay (10). Punishment was administered before the eyes of the judge, Deut. xxv. 2 f., probably by the officers of the court; the punishment of stoning by the whole congregation (Num. xv. 36) or the people of the city (Deut. xxii. 21), the witnesses being required first to put their hands to the execution of the trans-

gressor, Deut. xvii. 17, xiii. 9; a thing which was to be expected of no witness who was not thoroughly persuaded of the truth of his testimony (11); or by the avenger of blood on the murderer or man-slayer (Num. xxxv. 19 ff.); and after the introduction of the kingdom, by the servants of the king (2 Sam. i. 15) or his satellites, the royal guard,—by these, however, only in the case of State or treasonable offences, 1 Kings ii. 25, 34, 46; 2 Kings x. 25.

(9) First under the kings the sentences of the judges seem to have been written; comp. Job xiii. 16; Isa. x. 1.

(10) Comp. Num. xv. 36; Deut. xxii. 18, as still in the East; comp. Wellsted's *Travels*.

(11) In Lev. xxiv. 14 all the witnesses lay their hands on the head of the blasphemer, not, however, to declare him guilty, but to cast the guilt of the blasphemy which they had heard on his head.

§ 151. *The Council.*

The Mosaic judicial constitution, though at times it fell sorely into decay (1), was maintained on the whole unaltered down to the dissolution of the kingdom of Judah. Even in exile the Israelites had judges of their own nation (Sus. vers. 5, 41), as also thereafter when they were dependent on foreign rulers; though for these times we lack sure information, for the accounts of Josephus and the Talmudists regarding the local courts are at variance with one another (comp. § 149, note 6).

The rise of the great Council (סנהדרין גדולה) falls in these times, and more particularly, as is proved by the name *Sanhedrin*, formed by the Talmudists after the Greek *συνέδριον*, in the time of the Greek supremacy, though the Rabbins trace its origin to the college of seventy elders named by Moses (Num. xi. 16) on the march through the wilderness (2). The first historical trace of it meets us probably in the *γερουσία τῶν Ἰουδαίων*, 2 Macc. i. 10, iv. 44, xi. 27, 3 Macc. i. 8 (comp. Joseph. *Antiq.* xii. 3. 3, xiii. 5. 8), under the rule of the Seleucidæ; the name *τὸ συνέδριον* first in the time of Antipater and Herod, in Josephus (*Antiq.* xiv. 9. 4). This supreme judicial and administrative tribunal,

constituted in Jerusalem, was formed (Matt. xxvi. 3, 57, 59; Mark xiv. 53, xv. 1; Luke xxii. 66; Acts iv. 5 f., v. 21, xxii. 30) of high priests (ἀρχιερεῖς, *i.e.* the acting high priest, those who had been high priests and members of the privileged families from which the high priests were taken), elders (πρεσβύτεροι, tribal and family heads of the people and priesthood), and scribes (γραμματεῖς, *i.e.* legal assessors), Pharisees and Sadducees alike (comp. Acts iv. 1 ff., v. 17, 34, xxiii. 6). According to Talmudic accounts, the Council consisted of seventy members, with a president (נָשִׂיא), a vice-president (אב בית דין), and servants of the court (ὑπηρέται, John xviii. 22; Mark xiv. 65, etc.). On the contrary, according to the uniform testimony of Josephus and the New Testament, the acting high priest as such was always head and president (3). It held its sittings in the so-called hall of hewn stone (לשכת הגזית), in the outer court of the temple (4); in cases, however, which did not admit of delay, it assembled in the high priest's house (Matt. xxvi. 3), and judged, according to *Sanhedrin* i. 5, regarding matters of law, which affected a whole tribe, or a false prophet, or a question of war, probably also State offences; though the Roman Government took from it the right of life and death (*jus gladii*), so that a capital sentence pronounced by it required to be confirmed by the Roman procurator (5). In matters of religion its influence extended far beyond the limits of Jerusalem and Judea, even beyond Palestine and into Syria (Acts ix. 2). It seems also to have outlasted the destruction of Jerusalem (6).

(1) As appears from the frequent condemnation of the corruption of the judges and the oppression of the poor in judgment in the prophets, *e.g.* Amos ii. 6, 7, v. 4–15, vi. 12; Isa. v. 23, x. 1 ff.; Micah iii. 11, vii. 3; Jer. xxi. 22, xxii. 3, etc.; comp. also 1 Sam. viii. 3; Prov. xviii. 5, xxiv. 23; and regarding false witness, Prov. vi. 19, xii. 17, xix. 5, etc.

(2) The Talmudic and Rabbinical accounts, and ordinances regarding it, are given in great fulness by J. Selden, *De Synedriis*, lib. ii. c. 4 sqq., and lib. iii. Better sifted are the collections in H. Witsii *Miscellan. sacr.* lib. ii. dissert. 3; and Relandi *Antiq. sacr.* ii. 7. Both have recognised the unhistorical character of these ordinances, especially Witsius, *l.c.* diss. 3, § 79 sqq.—The article "Synedrium" by Leyrer in *PRE.* xv. 315 ff., is very comprehensive; and Schürer's description, *N. T. Times*, Div. II.

i. pp. 163–195, is distinguished by thorough investigation and sound criticism. Worthy of notice also is Holtzmann's article in Schenkel's *Bibellex.* v. p. 446 ff., though it is more of a historico-critical character.

(3) For lengthened dissertations on the number seventy or seventy-two, and its connection with Num. xi. 16 ff., see Selden, *l.c.* ii. p. 108 sq.—The correctness of the number seventy is defended by Schürer, i. 174 f., on the ground of the statement (Joseph. *bell. jud.* ii. 20. 5), that Josephus appointed seventy elders to the government of Galilee, "no doubt taking as his model the Council of Jerusalem." The filling up of vacancies in the body was effected as it seems by co-optation from the first row of disciples, who regularly attended the sittings, and that by means of laying on of hands (סמיכה). Those who were eligible were, according to the Mischna *Sanhedr.* iv. 2, priests, Levites, and Israelites whose daughters might marry priests, *i.e.* who could prove their legitimate Israelitish descent by documentary evidence (Schürer, p. 176).—Lists of presidents from Ezra to Gamaliel taken from the Rabbins are given by Witsius, *l.c.* § 48, and Reland, *l.c.* § 11.—But the historical character of these Rabbinical lists, along with the statement that the president was called נשיא and the vice-president אב בית דין, has been successfully disputed by Schürer, pp. 180–184. From Josephus, *Antt.* xx. 10 fin., and iv. 8. 14, *C. Ap.* ii. 13, comp. with *Antt.* xiv. 9. 3–5, and xx. 9. 1, where in the sittings of the Council the high priest for the time being is named as president, as well as from the New Testament, where the ἀρχιερεύς is always placed at the head (Acts v. 17 ff., vii. 1, ix. 1, 2, xxii. 5, xxiii. 2, 4, xxiv. 1, and Matt. xxvi. 3, 57), he has proved that the high priest as such was always the president. Moreover, from the fact that men who are named by Rabbinical tradition as presidents of the Sanhedrim, such as Gamaliel in the time of the apostles (Acts v. 34, comp. 27), Simon ben Gamaliel in the time of the Jewish war (Joseph. *Vita*, 38, 39), appear in the New Testament and in Josephus as simple assessors, he has established beyond doubt the unhistorical character of those lists.

(4) The Talmudists transfer the council-room under the name לישכת הגזית to the outer court or the space enclosed by the outer wall (חיל) of the second temple (Mischna *Peah* iii. 6; *Sanhedr.* xi. 2; *Midd.* v. 4), later to the halls (חֲנֻיוֹת) situated on the temple hill, when the דיני נפשות, *judicia capitalia*, were taken from them, Gem. *Schabb.* xv. 1.—On the contrary, Josephus, *de bell. jud.* v. 4. 2, mentions a council-house, ἡ βουλή, τὸ βουλευτήριον, between the Xystus and the porch of the temple.—According to Mischna *Peza* or *Jom tob* v. 2, no sittings were

held on Sabbaths or feast days; on the contrary, according to Gem. *Sanhedr.* 10, fol. 88. 1, the Sanhedrim assembled on these days not only in the לשכת הגזית, but in the חיל, on the temple hill in the neighbourhood of the court of the women, and the sittings took place in the interval between the morning and evening sacrifices. Comp. Selden, *l.c.* ii. 10, § 2.

(5) Comp. John xviii. 31: ἡμῖν οὐκ ἔξεστιν ἀποκτεῖναι οὐδένα, with Babyl. *Sanhedr.* fol. 24. 2: "Quadraginta annis ante vastatum templum ablata sunt judicia capitalia ab Israele." This seems at variance with the condemnation and stoning of Stephen, Acts vii., as well as with the allegation in Babyl. *Avoda sar.* f. 8. 2: that forty years before the destruction of the temple the Sanhedrim transferred its sittings from the temple (the לשכת הגזית) to the halls, with the added explanation: "cum viderent crescere interfectores (interfectorum numerum), convenit nobis migrare a loco in locum (hinc in alium locum), ne fiamus rei." Comp. Selden, ii. 15. 8 and 11. But this explanation is really nothing more than an attempt to make the withdrawal of the right of capital punishment appear as a voluntary declinature of this right from a feeling of humanity. And the stoning of Stephen, preceded though it was by a judicial investigation on the part of the Sanhedrim along with a hearing of witnesses (Acts vi. 12 ff.), remains after all a tumultuous proceeding, in which the Sanhedrim exceeded its competency at a time when Pilate was not in Jerusalem, like the execution of James the Just subsequently, in the absence of the Roman procurator, Joseph. *Antiq.* xx. 9. 1.—Accordingly, most writers (comp Winer, *R.W.* ii. p. 553, note 4; and Schürer, p. 188 f.) have justly concluded that the *jus gladii* in general was taken from the Sanhedrim, even in the case of religious offences, which could only be judged by the Mosaic law. Even in these cases it could only conduct the trial and pass judgment; sentence of death, however, could only be pronounced and executed by the Roman procurator.

(6) On this point, too, the Talmudic accounts are obscure and contradictory. According to the Babylonian *Gemara*, it was transferred at the destruction of Jerusalem under the president Jochanan ben Zakai to Jabne, thereafter under Gamaliel I. to Uscha, then to Sephacha, afterwards under R. Juda the Holy to Beth Schear and Sepphoris, finally, under the Emperor Antoninus Pius to Tiberias. Comp. Selden, ii. 15, § 7 sqq.; and Witsius, *l.c.* § 77.

SECOND CHAPTER.

THEOCRATIC PENAL LAW.

§ 152. *Character of the Theocratic Penal Law.*

The Mosaic penal code shows itself to be a manifestation of the divine righteousness by its combination of two elements. At the root of its enactments there lies the principle of strict but righteous retribution, and its intention is to extirpate evil and produce reverence for the righteousness of the holy God in the heart of the people. The law of retribution, *jus talionis*, is not confined to injury of the person: "soul for soul, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe," Ex. xxi. 23–25; Lev. xxiv. 17, 19, 20; Deut. xix: 21. It extends also to property: "he that killeth a beast shall make it good, life for life" (Lev. xxiv. 18).—It is true the principle of retribution is not first introduced by the Mosaic law. It is much older, and is found especially in the form of *blood revenge* among many ancient peoples (1) as a primitive (Gen. xxvii. 45) custom, going back for its final basis to Gen. ix. 5 f. By this custom the life first of all, but after it also the property of the family as the means of its subsistence, fall to be protected and kept by the nearest of kin to that member who has been killed, injured, or defrauded. This obligation was called by the Israelites *redeeming* (גְּאָלָה), and the man who was bound to fulfil it, a *redeemer* (גֹּאֵל, *goël*). The law and duty of the redeemer is assumed by Moses as a matter of tradition, and brought under the theocratic principle. As redeemers are reckoned full brothers, next to them the father's brothers (uncles), after them full cousins, finally, the other blood relatives of the clan, Lev. xxv. 48 f. The redeemer, meaning thereby always the nearest of the existing blood relatives, is obliged by law to recover the land which has passed into strange hands by sale in a time of need, and also any member of the family who by poverty has fallen into slavery (Lev. xxv. 25 ff., 47 ff.), as well as to *redeem* the blood of which the family has been deprived by murder. In the case of any possession being given back which had been embezzled or stolen, it was

to the redeemer also that restitution was to be made if the owner had died in the interval (Num. v. 8). As redeemer of blood, גֹּאֵל הַדָּם, commonly translated *avenger of blood*, he can and should kill the murderer if he finds him, Num. xxxv. 19.—But if the retribution was to be righteous, it must correspond to the guilt; and therefore unintended homicide could not be avenged in the same way as murder by the shedding of blood. While, therefore, in accordance with traditional custom, the execution of blood revenge belonged to the whole clan as a matter of honour and duty (2 Sam. xiv. 7), it is withdrawn by the Mosaic law from family *revenge*, and so incorporated with the theocratic law as to guard against the shedding of innocent blood (comp. § 155).

The Mosaic law carries out the principle, that punishment should correspond to the heinousness of the offence, that there shall fall on the head of the culprit what he has done to his neighbour. Hence it limits the punishment to the guilty person without extending it to his children (Deut. xxiv. 6); and in any case of property, it requires it only in order to restoration and by way of penal restitution, if the guilty man had invaded his neighbour's property or violated the integrity of his house. By punishment it is intended only that evil be rooted out and right be preserved or restored. What is said (Deut. xix. 19 f.) in regard to the false witness holds good of all the penal enactments of the Mosaic law: "Do unto him as he had thought to do unto his brother, and put away the evil from the midst of thee." When, however, it is added: "Those which remain shall hear and fear, and shall henceforth commit no more any such evil in the midst of thee" (ver. 20, comp. xvii. 13), this general object of punishment must not be in the least identified with the deterrent theory, *i.e.* with the tendency to deter from crime by the way and manner of punishing it (2). By removing the evil by means of punishment, it is intended to bring into view only the earnestness of divine retributive justice, that the wicked may not merely be afraid of the penalty, but much more of the righteous judgment which overtakes transgressors, without respect of persons.—How far removed the theocratic penal code is from the theory referred to, appears from the strict limits set to the number of stripes and the amount of fines,

and still more clearly from the absence of every kind of torture or infamy from the penalties.

If, however, partly owing to this cause, partly to the careful distinguishing between presumptuous crimes and trespasses arising from weakness, thoughtlessness, or negligence, milder penalties are fixed corresponding to the degree of guilt, yet there is no weakening hereby of the earnestness of retributive justice. On the contrary, greatly as the Mosaic law takes account of human weakness, and even forbids many a thing without attaching to the transgression of it any civil penalty (comp. *e.g.* Lev. xix.), yet it insists unreservedly on the hallowing of Israel in the fear of the holiness of Jehovah, the covenant God. Hence it designates even the trespasses arising from weakness as sin, and appoints forms of expiation for them, the omission of which is threatened with cutting off (comp. § 47). It commands with unsparing severity the punishment of all presumptuous disobedience to God, the Holy One of Israel, and to His holy ordinances. Finally, it threatens a curse and severe punishments from God, the avenger of all evil, for offences which either escape the eye of civil justice, or which, like apostasy from the Lord to idolatry, may at times prevail to such a degree, that the arm of the earthly magistrate is overpowered and paralyzed by the spirit of the time [*Zeitgeist*].

(1) "Blood revenge appears almost everywhere, where the State has not yet been formed or is still in the first stages of development, and consequently satisfaction for personal injury falls to private revenge, particularly family honour,"—so among the Arabs, ancient Greeks, Romans, Germans, and Russians, and to the present day among the Bedouins, Druses, Circassians, and other nations of the East. Comp. Oehler in *PRE.* ii. p. 260 f.; and Winer, *R.W.* i. p. 189.

(2) Comp. C. Th. Welcker, *Die letzsten Gründe von Recht, Staat und Strafe*, Giessen 1813, who, p. 291, justly remarks: "I cannot by any means, as is often done (Michaelis, etc.), regard the Mosaic penal code as intended positively to deter and prevent crime by slavish fear, because of this too generally exaggerated severity of its punishments, which theory, as was shown above, makes it impossible to observe any righteous standard, or to harmonize punishment with the real guilt, is wholly repugnant to the Mosaic law, which, seeking its supports in faith and love, can claim true piety and virtue, not the

external obedience of fear, and is contradicted by the fundamental thought of revenge, which contemplates no positive effect for the future, but expresses and aims at the annihilation of the hostile being which inflamed its rage," etc.—The latest work on this subject, M. Duschar, *Das mosaisch-talmudische Strafrecht*, Wien 1869, is unimportant.

§ 153. *Detailed Punishments.*

The penalties which the Mosaic law prescribes are simple and severe, but neither cruel nor degrading. They are penalties affecting life, body, and estate.

The *punishments affecting life* are either *stoning*, in the execution of which, if the crime had been proved by testimony, the witnesses are to cast the first stones at the condemned (Deut. xvii. 7), or *killing with the sword*, not, however, beheading, but cutting down or piercing (1). Capital punishment was aggravated sometimes by burning (Lev. xx. 14, xxi. 9), sometimes by hanging the body on a tree or stake (Deut. xxi. 22) (2). To this it was often customary to add the raising of a heap of stones over the body or its ashes (Josh. vii. 25, viii. 29; 2 Sam. xviii. 17); while the law ordains, in respect of criminals hanged, that they should not be allowed to remain overnight, but be buried the same day, lest—he that was hanged being accursed of God—Jehovah's land should be defiled (Deut. xxi. 22 f.). For this would happen if he on whom God's curse had fallen were not removed from the presence of God and the view of His people (3). All other capital punishments mentioned in the Old and New Testaments are of foreign origin (4), and crucifixion was first introduced into Judea by the Romans (5).

(1) So far as can be learned from the Pentateuch regarding the difference between these two capital punishments, *stoning* (סָקַל or רָגַם בָּאֶבֶן), as the common punishment which had been formerly in use (comp. Ex. viii. 26, xvii. 4; Num. xiv. 10), is enjoined for those cases in which sentence of death was to be executed on individuals judicially; when, on the contrary, either the avenger of blood carried out the punishment, or where many were to be executed, the sword was used, or other weapons; *e.g.* the spear, Num. xxv. 7, or arrow, Ex. xix. 13, to kill from a distance. Thus in Deut. xvii. 3 ff., xiii. 7 ff., stoning

is enjoined to punish the individual who practised idolatry and seduced others; on the contrary (xiii. 16), for the punishment of a whole city which was given over to idolatry, it is commanded: "Thou shalt slay (הַכֵּה) the inhabitants of that city with the edge of the sword;" comp. Saalschütz, *Mos. R.* p. 457. Accordingly it is no doubt stoning which is meant when the law merely uses the formulas: "He shall be put to death," or "his blood be upon him" (דָּמָיו בּוֹ or דְּמֵיהֶם בָּם, Lev. xx. 9 ff.). The same penalty is also to be understood by the *cutting off* (הִכָּרֵת) which the law attaches to various offences, and that not only in the cases where, along with the formula: "that soul shall be cut off from among his people," it is expressly written: "he shall be put to death" (*e.g.* Ex. xxxi. 14 f.; Lev. xx. 11 ff., comp. with xviii. 29), but also where the punishment of death is not specially mentioned. Saalschütz, *ubi supra*, p. 476 ff., thinks "the threatened cutting off, taken by itself, does not command the human judges to execute capital punishment; the expression rather means, that in the cases mentioned sooner or later the person shall be overtaken by a premature death *by the hand of God*." Also, "that where *only* cutting off is mentioned, the law does not mean to hand over the guilty to the hands of men for punishment." But these assertions cannot be proved from the passages quoted. From Lev. xx. 2–6, so much only appears, that God Himself will cut off the transgressor if the earthly magistrate shuts his eyes to the crime of idolatry and does not cut off the idolater. Certainly in Lev. xx. all the abominations of which it holds in the comprehensive formula, chap. xviii. 29: "Whosoever shall do any of these abominations, even the souls that do them shall be cut off from among their people," have not the punishment of death attached to them. For some of the forbidden marriages only childlessness is threatened (xx. 20 f.). But from this it merely follows that for certain cases God reserved the cutting off to be otherwise executed; and in these cases the civil magistrate was not to intervene. But in connection with all other offences, for which the law prescribes cutting off without any such reserve, the civil magistrate was obliged to carry out sentence of death as soon as the guilt was judicially established; even for transgressions of the laws of purification and other matters of ritual, if the sin was proved to have been committed "with a high hand," *i.e.* in presumptuous rebellion against Jehovah, and not merely in thoughtlessness or haste.—If Talmudic law affixes the penalty of forty stripes to cases in which cutting off stood without express mention of capital punishment (comp. Saalschütz, p. 479), this ordinance is as

much at variance with the meaning of the Mosaic law as the Rabbinical explanation of the Mosaic phrase: "he shall die," interpreting it of the punishment of strangling (Saalschütz, p. 463 f.).—The procedure observed in stoning (comp. Acts vii. 56 f.) is nowhere described in the Old Testament. The Rabbinical description of it, as given in Mischna *Sanhedr.* vi. 3, 4; in Otho, *Lexic. Rabb. Phil.* p. 361; and Winer, *R.W.*, art. "Steinigung," certainly does not correspond to the simple relations of the Mosaic time; comp. Carpzov, *Apparat.* p. 584. —Killing with the sword is also mistakenly interpreted by the Rabbins in Mischna *Sanhedr.* vii. 3, of beheading,—a mode of execution which was, no doubt, customary in Egypt from the most ancient times (Gen. xl. 19), but first appears among the Jews in the Roman period (Matt. xiv. 10 f.).

(2) That here we have not to think, with Saalschütz, *Mos. R.* p. 459 f., of burning alive (according to the Mischna *Sanhedr.* viii. 2, by pouring molten lead into the mouth), is evident from Josh. vii. 25, and from the analogy of hanging, before which putting to death is expressly mentioned. Both ways of aggravating capital punishment were in use before Moses, as is obvious from Gen. xxxviii. 24, and the expression, Deut. xxi. 22: "If he be put to death, and thou hang him on a tree." The meaning of הוֹקִיעַ, Num. xxv. 4, and 2 Sam. xxi. 6, is uncertain; it is expressed by *Aquila* in Num. ἀνάπηξον, *Symmach.* κρέμασον, *Vulg. suspende*, and in 2 Sam. by *crucifigere*, and probably denotes the hanging of living criminals. According to Ezra vi. 11, a common punishment in the kingdom of Persia.

(3) "Volebat Deus maxime facinorosos (quorum pœna erat suspendium) omnino deleri de terra, adeo ut nec eorum cadavera superessent in pœnam, uti fieri solet in illis qui flammis traduntur. . . . Sicut enim Scriptura passim ait, malis hominibus, terram contaminari, ita cum aliquid eorum superest, ut sunt eorum cadavera, adhuc terra inexpiata et contaminata censetur," Corn. a Lapide.—Wholly mistaken, Michaelis and Winer, *R.W.* ii. p. 11: "not to poison the atmosphere, when it (the body) quickly went to corruption."

(4) Capital punishments coming from foreign lands were the following: *Dichotomy*, cutting in pieces (שָׂסַף, 1 Sam. xv. 33), common among the Babylonians, Egyptians, and Persians; *burning alive* in a furnace, Dan. iii. 20 ff.; *roasting on the fire*, Jer. xxix. 22; 2 Macc. vii. 5; and *casting into the lions' den*, Dan. vi. 8, 13 ff., were Babylonian punishments. *Putting to death in hot ashes*, 2 Macc. xiii. 5 ff.; *beating to death* (τυμπανίζειν, Heb. xi. 35) on the τύμπανον (2 Macc. vi. 19), probably a circular instrument of torture, on which prisoners were stretched and tortured or beaten to death (comp. Grimm on 2 Macc. vi. 19,

and Delitzsch on Heb. xi. 35). Next, in war the *sawing in pieces* of captives (2 Sam. xii. 31; 1 Chron. xx. 3; comp. Heb. xi. 37); *hurling* from precipices (2 Chron. xxv. 12; comp. Ps. cxli. 6, and Luke iv. 29)—the latter a frequent punishment among the Romans; the *cutting open* of the bodies of pregnant women (2 Kings viii. 12, xv. 16, etc.), and the *dashing* of children against walls when hostile cities were taken (Isa. xiii. 16, 18; Hos. xiv. 1, etc.). Besides, there are incidentally mentioned in the New Testament *drowning*, καταποντίζειν (Matt. xiv. 6, xviii. 5), and *fighting with wild beasts*, θηριομαχεῖν (1 Cor. xv. 32).—For more on these punishments, see Carpzov, *Apparat.* p. 596 sqq.; and Winer, *R. W.* ii. p. 12 f.

(5) *Crucifixion, i.e.* nailing to a beam provided with a cross piece of wood, was a punishment which originated with the Romans, and first spread with the Roman dominion over the East, which as *crudelissimum teterrimomque supplicium* (Cicero, *Verr.* v. 64) was only inflicted on slaves, highway robbers, coiners, and other common criminals, not on Roman citizens.—The view which has become traditional since Just. Lipsius, *De cruce*, libri iii., Antwerp 1595, that crucifixion was a customary punishment among the ancient Persians, Egyptians, Carthaginians, Macedonians, rests on an identification which cannot be established of σκόλοψ and σταυρός and the verbs derived from them, ἀνασκολοπίζειν, *i.e. to impale*, and ἀνασταυροῦν, *to fasten to a beam.* Impaling is thus described by Hesychius: "From very ancient times evil-doers were thus impaled; a stake was pointed and driven through the spine and back, as is done with fish roasted on a spit" (τὸ γὰρ παλαιὸν τοὺς κακουργοῦντας ἐσκολόπιζον, ὀξύνοντες ξύλον διὰ ῥάχεως καὶ τοῦ νώτου, καθάπερ τοὺς ὀπτωμένους ἰχθῦς ἐπὶ ὀβελίσκων). This punishment was inflicted, according to Herodotus, i. 128, by Astyages on the Magi; by Darius, "when he had taken the city Babylon through the artifice of Zopyrus, on three thousand of the most distinguished citizens" (Herod. iii. 159). The Assyrians also impaled enemies taken in war, as is evident from the woodcut in Layard, *Nineveh and its Remains*, figure on ii. p. 369, comp. with 374. Beyond this, the only thing mentioned as belonging to ancient times in the East is the nailing of the trunk of criminals put to death, or perhaps when yet alive, to an upright stake, and the term applied ἀνακρεμᾶν or ἀνασταυροῦν, or πρὸς σανίδα διαπασσαλεύειν. On the other hand, crucifixion, or the nailing of the malefactor with outstretched arms to a cross, grew up among the Romans from the execution of criminals, especially slaves, by binding them to the *furca* or the *patibulum*. Comp. Carl Friedrich (in Munich), "Kritischer Rückblick auf die Literatur über de Geschichte u. Archäologie des Kreuzes," in the *Theol. Litera-*

turblatt of Reusch, 1875 (x.), Nr. 17 f., p. 391 ff. — Crucifixion was preceded by scourging with thongs, under which many delinquents expired; then the condemned were obliged to carry their cross to the place of execution (Plutarch. *Ser. vind.* c. 9; comp. Matt. xxvii. 32; John xix. 17); arrived there, they were stripped of their clothes; a cross, generally not high, having been previously erected, they were drawn up and made fast to it with cords; then nails were driven into the hands and feet; and thus amid frightful tortures they did not usually die before suffering for twelve hours, often not till the second, sometimes even the third day. The nailing of the feet was denied by Dr. Paulus, following Clericus on John xx. 27, and Dathe on Ps. xxii. 7, that he might the better enable his Jesus, awakened from His apparent death, to walk; and he sought to prove it not customary at great length (in the *Memorabilien*, St. 4, *im Comment. u. exeget. Hdb. zum N. Test.*). But it has been proved to have been the common practice in crucifixion by L. Hug in the *Freiburg. Ztschr. f. Theol.* iii. p. 167 ff., and v. p. 153 ff.; and by Bähr in Heydenreich and Hüffel's *Ztschr.* 1830, 2, p. 308 ff.; and Tholuck's *Litt. Anzeiger*, 1835, Nr. 1 ff.; see on the history of this controversy, *ibid.* 1834, Nr. 53 ff. So that Meyer also, in his critical exegetical commentary on the New Testament, on Matt. xxvii. 34, pronounces decidedly for it. — The presenting of a stupefying draught before nailing to the cross (Matt. xxvii. 34; Mark xv. 23) was not a Roman but Jewish custom, derived from Prov. xxxi. 6 (comp. Babyl. *Sanhedr.* fol. 43*a*), as likewise the taking down from the cross before sunset (Mark xv. 42; John xix. 31), on the ground of the law, Deut. xxi. 23.—The inscription over the cross of Jesus (Matt. xxvii. 37; John xix. 19 ff.) was no doubt the tablet (*titulus*, Sueton. *Domit.* c. 10) which the cruciarii carried in front of them on their way through the city.—More on this punishment in Jahn, *Bibl. Archäol.* ii. 2, p. 360 ff.; Winer in *R.W.;* and Merz in *PRE.* viii., art. "Kreuzigung."

Corporal punishments consisted partly of blows, probably with a rod (6), forty and no more, "that thy brother may not appear vile in thy sight" (Deut. xxv. 2 f.), and in retribution for bodily injuries (7).—Finally, *penalties in means* or *money* (עֹנֶשׁ) for theft, purloining and certain cases of injury to body or honour, were required to be paid to the injured or offended, and must not exceed a hundred shekels (Deut. xxii. 19).—Other punishments, such as *imprisonment* or exile (*banishment*) (8), are not found in the Mosaic law. They do not

correspond to the theocratic principle: to extirpate evil by punishment.

(6) The rod (שֵׁבֶט) is mentioned, Prov. x. 13, as the usual instrument of correction. For this purpose the Rabbins ordain the scourge made of thongs of calf or ass leather, referring to Isa. i. 3. Accordingly Saalschütz, *Mos. R.* p. 469, with the Rabbins and Michaelis even on Lev. xix. 20, understand by בְּקֹרֶת, *correction*, a scourge of ox-leather, a bull's pizzle, *taureus* (?).—*Scourging* is frequently mentioned in the New Testament, Matt. x. 17, xxiii. 34, Acts v. 40, and thirty-nine stripes as the maximum, 2 Cor. xi. 24; comp. Mischna *Maccoth* iii. 12.

(7) Utterly futile are the grounds on which Saalschütz, *Mos. R.* p. 449 ff., seeks to prove that strict retribution was scarcely practicable, and must soon have fallen into disuse, and that probably even the lawgiver did not expect to see it applied in practice. For that the Rabbins changed it into money penalties (comp. Lightfoot, *Hor. Hebr. ad Matt.* v. 38), and the Turks and other peoples of the modern East generally settle such offences with money payments (comp. v. Hammer, *Osmann. Reich*, i. p. 146 f.; Lane, *Manners*, etc., i. p. 124 f.; Burckhardt's *Arabia*, ii. p. 126), proves absolutely nothing for the ancient Israelites, especially as even still retribution is sometimes literally practised (comp. Seetzen, *Reise*, iii. p. 375). The Israelitish judge was not entitled to substitute a money indemnity. It was otherwise, no doubt, if the injured person, without making any judicial complaint, was satisfied to take such an indemnity; which the law neither allowed, as the Roman law of the twelve tables did: "si membrum ruit ni cum eo paicit talio esto," nor forbade.

(8) *Imprisoment*, though not unknown to the Israelites from their acquaintance with Egypt (Gen. xxxix. 20 f., xl. 3 f., xli. 10, xlii. 19), does not appear in the Mosaic law as a mode of punishment. In Lev. xxiv. 12, מִשְׁמָר is only a securing of the person till a decision has been come to. For imprisonment does not correspond to the *jus talionis*, and is wholly superfluous where bodily punishments exist, and where fines in the case of those without means must be paid by servitude. The suppositions of Michaelis and Winer, *R. W.*, under the relative article, as to the absence of imprisonment as a punishment from the Mosaic law, are groundless.—Not till the time of the kings is imprisonment introduced, especially to punish too outspoken prophets (2 Chron. xvi. 10; Jer. xx. 2, xxxii. 2 ff., etc.), and after the exile it was quite a common punishment along with others (in cases of debt), Ezra vii. 26; Matt. xi. 2, xviii. 2. Comp.

also Acts v. 18, 21, viii. 3, xii. 4, xxii. 4, xxvi. 10.—*Prisons* (בֵּית כֶּלֶא, מַטָּרָה, בֵּית הָאֲסוּר) were found in the houses of the chiefs of the guard (Gen. xxxix. 20 ff., xl. 4; comp. Jer. xxxvii. 15, 20), or in the watch-house attached to the palaces of the kings (Jer. xxxii. 2), or at the gates (xx. 2), and were formed, partly of deep, waterless but slimy pits (בּוֹר) in the courts of these buildings and of subterranean vaults (חֲנִיּוֹת, Jer. xxxvii. 16). Prisoners were bound with chains, Judg. xvi. 21; 2 Sam. iii. 34; Jer. xl. 1; in case of severer imprisonment they were put into the block or pillory (מַהְפֶּכֶת, Jer. xx. 2, or הַמַּהְפֶּכֶת וְהַצִּינֹק, Jer. xxix. 26, or סַד, κύφων, Job xiii. 27, etc.), an instrument consisting of two pieces of wood, into which the arms and feet of the culprit were thrust (crossways), and into which the neck also was forced. Comp. Gesenii *Thes.* p. 388 sq.; and Hitzig on Jer. xx. 2, and xxix. 26.—On the other hand, the Roman *custodia militaris* consisted in chaining the prisoner by one or both hands to the soldier who watched him (Acts xii. 4, xxi. 33), or in prison putting his feet in the stocks (τὸ ξύλον, Acts xvi. 24).—*Exile* or banishment from the land is also strange to the Mosaic law, although the whole people for its persistent transgression of the covenant is threatened by God with expulsion and dispersion among the heathen. Not till after the exile does banishment appear as a civil punishment (שְׁרֵשׁוּ, Ezra vii. 26; comp. x. 8).—Finally, cutting off is not *la mort civile* (Salvador), nor "expulsion from the family, the tribe, or from Israel, or civil degradation" (Redslob, *Die Alttestam. Namen,* Hamburg 1846, p. 115).

§ 154. *Offences against Property.*

The property of the Israelites consisted, partly of the land which the Lord gave to the several families in Canaan as an inalienable inheritance for their posterity (comp. § 141), partly of cattle and other moveable goods. But property in the soil extended only to the use of its produce, and even in this respect the owner was placed under certain obligations. *Firstly,* in the Sabbatic and jubilee years he was obliged to give rest to the field or land, not to sow, plant, or gather a harvest from his fields and vineyards, and to leave what grew in these years without sowing and labour to men-servants and maid-servants, hirelings and strangers, as well as to cattle and game (comp. § 79 f.). *Next,* in the other years when gathering in the fruits, he was not to have any gleaning either in

his fields or in his vineyards or olive yards, but to leave the corners of his field, the forgotten sheaf, the ears left behind, and fallen fruits to the poor, widows, orphans, and strangers (Lev. xix. 9 f.; Deut. xxiv. 19–21). *Lastly*, even before the harvest he was to allow the hungry to go into his vineyard and eat grapes, or to pluck ears in his field to his satisfaction (Deut. xxiii. 24 f.) (1). Hereby not only was care taken for the poor, but the owner was reminded that his possession of the land, the source of his prosperity, was a gift of God. With this disposition the Israelite was also to give of his other possessions to the poor and needy, to lend to his poor brother money without interest and food without addition, *i.e.* without demanding more when it was given back. Neither was he to go into the house of the borrower to exact a pledge; and if the pledge given to him by the poor man was a cloak, which also served as a covering for the night, he must give it back before sunset, and what was absolutely necessary (2) he dared not take as a pledge at all (Ex. xxii. 24–36; Lev. xxv. 35–37; Deut. xxiii. 19, xxiv. 10–12, comp. with vv. 6 and 17). In general he was called to take up the case of the impoverished as well as of sojourners and strangers (Lev. xxv. 36), inasmuch as all the children of Israel are sojourners and strangers with Jehovah in His land (ver. 23).

All these commands, as warnings addressed to the heart, aim at quenching the desire of earthly riches and preserving the soul from mammon-worship. But much as they do so, they were by no means intended to weaken the zeal for honest industry, and still less to minister to laziness, indolence, or wastefulness. On the contrary, property within the limits mentioned is legally secured against all sinful invasion. The hungry man who eats grapes in another's vineyard is forbidden to put any in a vessel, and he who plucks ears in his neighbour's field is forbidden to use the sickle (Deut. xxiii. 24 f.), that is, to take more than is needed for his want for the time being. Not only so, but the lender, to make sure of his loan, is allowed to take a pledge from the borrower who can give him one, and even take interest from the stranger (xxiii. 19). The law, it is true, forbids the creditor to exact his debts in the Sabbatic year (Deut. xv. 2); but so far is his right to claim his debt from being impaired, that he is fully at

liberty to demand that his insolvent debtor sell his inheritance, *i.e.* its produce, till the year of jubilee; and if this did not cover the debt, or the debtor had no land, his creditor could claim that he sell himself with his family into servitude and pay off his debt in labour (Deut. xxv. 25, 39, and 47; but with this comp. § 112, note 1). Thus the creditor could not, except in extremely rare cases, suffer any considerable loss (3).

Yet more strictly does the law seek to prevent every wilful, unjust invasion of the property of others. Not only does it forbid the removing of the boundaries which their ancestors had drawn when they took possession of the land (Deut. xix. 14), but it threatens any one who should do this with a curse (xxvii. 17). Not only does it forbid stealing or even coveting a neighbour's house or anything that is his (Ex. xx. 17 f.; Deut. v. 18), but exhorts him to take an affectionate care of it. He is to bring back his neighbour's beast which has strayed, even that of an enemy or hater (Ex. xxxiv. 4 f.), to restore found property, and to help another's beast in trouble (Deut. xxii. 1–4).—To these commands, which are more of a moral kind, quickening the conscience in respect to the property of others, there are added the following legal statutes with penalties attached:—

1. Against *damage done.* If any one uses the pasture of a field or vineyard by letting his cattle graze his neighbour's field, he must make compensation with the best of his own field or vineyard. If fire breaks out and catches in thorns, and stack or standing corn or field be consumed, he that kindled the fire shall make restitution (Ex. xxii. 4 f.). If any one kills another's beast, he shall pay for it life for life (Lev. xxiv. 18). Should any one open or dig a pit and not cover it, and there should fall into it an ox or ass, the owner of the pit shall pay its master in money, but the dead animal shall be his. And if a man's ox gores his neighbour's so that it dies, they shall sell the living (butting) ox and divide its value, and also divide the dead animal; or if it is known that the ox were wont to push in past time and his master did not keep him in, he shall pay ox for ox, but the dead shall be his (Ex. xxi. 23–36).

2. Against *fraud.* If a man had entrusted money or implements to his neighbour to be kept, or cattle to be tended,

and the deposit was lost or the cattle died or were injured or driven away, or if the man refused to acknowledge what he had found, the matter was to be settled in court. If, now, the accused could clear himself by an oath or other sure evidence, he had no compensation to pay; on the contrary, if he was found guilty of fraud, he had to make twofold restitution (Ex. xxii. 6–10). The shepherd had to make good to his master the cattle stolen from him, obviously because with proper care he might have prevented the theft (ver. 11). On the other hand, he did not require to make good a beast torn by a wild animal, if he could produce witness of the fact, say a limb or piece of the torn animal rescued from the beast of prey (ver. 12). Lastly, if one had got a beast from another for use, and it was hurt or died, he had to make it good to the owner, if the latter was not present when the misfortune happened, not, on the contrary, if he was present, and so might have prevented any wrong treatment of it. Neither could he have restitution if he had hired it out, in which case it was to go at the price of hire, *i.e.* the owner had to be content with payment of the hire (ver. 13 f.).

3. Against *theft.* If stolen property was found on the thief, and particularly if stolen cattle were found with him still alive, he was required to restore them twofold; but if it was already used, or the cattle slaughtered or sold, he was required to make good an ox fivefold, a sheep fourfold (4); and if he could not give compensation, he was to be sold for his theft, that he might cover it by work, and reimburse the buyer for its value (Ex. xxi. 37–xxii. 3).—Thus the larger the theft, the more severely was it punished. The smaller penalty, however, attached to the case when the stolen property was found with the thief still unconsumed, has its ground in the circumstance that here it is supposed possible that he may yet repent and make restoration (5). This regard to moral discipline is confirmed by the fact, that not only for theft, but for every kind of fraud, it is made possible for the penitent confessor to make good his offence by returning what he had purloined, kept back, or fraudulently concealed, adding a fifth of its value. This might be done to the owner, or, after his death, to his next of kin; and he could atone for his guilt by a trespass-offering (Lev. v. 21–27).

Thus, on the one hand, "property as a right was surrounded with rampart and ditch, which are not to be violently broken through" (6); on the other, the way of repentance and conversion was set open to the transgressor, and many an occasion to sin and crime was cut off by the care taken of the poor.

(1) Allowing the hungry to pluck ears and eat them, and the poor to glean, is still customary among the Arabs in Palestine; comp. Robinson, *Palestine*, i. pp. 493–499, ii. p. 100.

(2) As, *e.g.*, the hand-mill and the millstone, Deut. xxiv. 6; or the widow's garment, ver. 17.

(3) Perhaps this is also the reason why the Mosaic law contains no statute on *suretyships*. In later times they were very common, as we learn from Proverbs, where foresight is taught, Prov. vi. 1 ff., x. 15, xvii. 18, by pointing to the fact that the surety has to stand for the debtor, and could not expect any milder treatment than he, Prov. xx. 16, xxii. 26 f.; comp. Sir. viii. 16 (13), xxix. 20, 24 (15, 18).

(4) An increase of this punishment to sevenfold restitution cannot be argued, with J. D. Michaelis, from Prov. vi. 30 f.; for to pay sevenfold is simply to say in round numbers manifold.

(5) But not, as Knobel on Ex. xxii. 3 thinks, because "here the robbed man recovers his own beast, perhaps specially valuable to him, and does not require to take another for it."

(6) Comp. Schnell, *ubi supra*, p. 36.

§ 155. *Offences against the Person and Life.*

"Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made He man." And "surely your blood, the blood of your lives, will I require (judicially avenge); at the hand of every beast will I require it; and at the hand of man, even at the hand of every man, will I require the life of man," Gen. ix. 6 and 5. With this solemn command God renews the blessing of creation to Noah after the Flood, declaring murder, as a destruction of the divine image, to be a *crimen læsæ majestatis divinæ*, and accordingly commands and promises to avenge it on man and beast. This general expression of the divine will is repeated in the Mosaic legislation, not only in the fifth [sixth] commandment, but generally it is more fully unfolded in a manner corresponding to the order and idea of the theocracy. In the covenant made

with Noah, the killing of man is condemned as a crime against the divine image, and murder by a human hand as fratricide. But in the Mosaic law, not only is there a distinction made between murder or intentional killing, and unintentional homicide, but also between the killing of the freeman (Israelite or stranger) and the slave; and, moreover, the penalty for every injury done to the body or honour of a man is morally and judicially determined.

1. *Bodily injury.* There are moral commands, not to rail at the deaf, nor to put any stumbling-stone in the way of the blind (Lev. xix. 14), with the threatening of a curse on him who leads the blind man astray (Deut. xxvii. 18); but along with these, full retribution is legally ordained for bodily injuries done to free Israelites. "If a man cause a blemish in his neighbour, as he has done, so shall it be done to him; breach for breach, eye for eye, tooth for tooth; as he hath caused a blemish in a man, so shall it be rendered unto him," Lev. xxiv. 19 f. — If men quarrel, and one strike the other with a stick, or with his fist, so that he does not die, but is only confined to his bed, the man who has given the blow shall remain unpunished, and shall only make compensation to the sufferer, when he rises and goes out on his staff, for the time he has lost and the cost of his cure, Ex. xxi. 19 (1). If in a quarrel between men a pregnant woman is struck, so that her fruit depart,—if there is no further mischief,—the offender shall be punished with a fine, to the extent demanded by her husband and approved by umpires. But if she has sustained further injury, there shall be full retribution according to the *jus talionis:* life for life, eye for eye, etc., vv. 22-25. If, in connection with such strife between men, the wife of the one, to save her husband, stretched out her hand and took hold of the privy member of the other, her hand was to be cut off unsparingly (Deut. xxv. 11 f.) to punish such shamelessness.—Less severe is the punishment for bodily injuries done to slaves. If a man by blows destroys (knocks out) an eye, tooth, or any other member belonging to his man-servant or maid-servant, he is bound to let them go free, thus paying for the damage by the loss of his property, while the injured man or woman receives in freedom a sufficient indemnification.

(1) If in such a scuffle the one died, though not immediately, yet on his sick-bed, the case was manifestly to be judged as homicide according to Ex. xxi. 12 f., and the judges were hardly at liberty, as Saalschütz, *Mos. R.* p. 839, thinks, to limit the punishment to a larger or smaller sum of money. If, on the contrary, the injured man did not die till later, after he had risen and gone out, and received from the other his pecuniary indemnity, the man who gave the blow was not subject to any further penalty, because then the death might have been due to another cause (comp. Philo in Winer, *R.W.* ii. p. 156, note 3) and the sufferer in any case might not have been wholly innocent in the strife; on which account, apart from other reasons this case was not punished according to the *jus talionis*.

2. *Injury to honour and freedom.* Besides the general command: not to go up and down as a tale-bearer among thy people (Lev. xix. 16): not to bear false witness against one's neighbour (Ex. xx. 13; Deut. v. 17), and: not to raise a false report nor to offer the hand to the wicked, to be an unrighteous witness (Ex. xxiii. 1), it is ordained in Deut. xix. 16–19, that the false witness, according to the *jus talionis*, suffer the punishment which he was minded to bring on the other.—Similar protection is provided by the law for womanly honour. Should a man have taken a virgin in marriage, and then out of hatred brought an evil report against her, by declaring that he had found her to be no virgin, as soon as his declaration was proved to be false he was to suffer (bodily) chastisement, and, moreover, to pay to the parents a fine of a hundred shekels of silver, Deut. xxii. 13–19.—If a man found a betrothed maiden in the field and forced her, he was to suffer death, Deut. xxii. 25; and in the case of one not betrothed, he was obliged to marry her, and to pay to her father besides a penalty of fifty shekels, ver. 28 f.—Any one also was to be put to death who stole a man, *i.e.* a free Israelite, deprived him of his freedom, used or sold him as a slave, Ex. xxi. 16; Deut. xxiv. 7.

3. *Offences against life.* The killing of a man, apart from murder, brings blood-guiltiness not only on the doer, but on the whole people, which must be expiated, otherwise it brings after it divine vengeance. If any one from hatred or enmity deliberately kills a man, or so wounds him that he dies (2), he shall be put to death; the avenger of blood shall kill him

when he finds him, Ex. xxi. 12; Lev. xxiv. 17, 21; Num. xxxv. 16–21. The man who watches for his neighbour and kills him, shall not find protection in any city of refuge (Deut. xix. 11–13); and he who dares to kill another treacherously, shall be taken even from Jehovah's altar and given over to the avenger of blood, to be put to death (Ex. xxi. 14). No ransom (payment) shall be taken for the life of a homicide who is worthy of death; he shall die, Num. xxxv. 31. Such a one shall not be spared, that blood-guiltiness may be expiated, and blood innocently shed be put away out of Israel (Deut. xix. 13); for the land profaned with blood cannot be atoned for except by the blood of him who shed it (Num. xxxv. 33). Even the ox, which gores a man or woman, son or daughter, so that they die, must be stoned, and its flesh, as rendered unclean by blood, must not be eaten. And if the ox was given to goring, and its owner had been warned and had not kept it in, he also was to be put to death. Yet by payment of a ransom imposed on him he might redeem his life; and if his ox had not been vicious before, he escaped without punishment, Ex. xxi. 28–32.

But the killing of a man is not always murder or culpable homicide. If the life of a neighbour was taken by one who did not seek after it, who did not take it from hatred or with a hostile intention, but suddenly, "God delivering him into his hand," he shall find protection from the avenger of blood (3). The congregation shall set apart three cities of refuge in the land on either side of the Jordan, and keep the way to them in repair, in order that the man who has suddenly and unintentionally killed another may flee thither, Ex. xxi. 13; Num. xxxv. 10 ff.; Deut. xix. 2 ff. (4). No man-slayer shall be put to death till he has stood for trial before the congregation, Num. xxxv. 12. The congregation shall judge between the man-slayer and the avenger of blood, rescuing the man-slayer from the hand of the avenger of blood and restoring him to the city of refuge, whither he has fled, xxxv. 24 f. It shall judge whether the homicide was committed from hatred or enmity, or without hostile feeling and unintentionally; the state of the case shall be made out, not on the testimony of one, but of two or three witnesses (comp. Num. xxxv. 30 with Deut. xvii. 6). This the congregation shall do, that the

avenger of blood may not overtake the man-slayer who is guiltless; and kill him because his heart is hot, and thus still more innocent blood be shed, and blood-guiltiness come on Israel (Deut. xix. 6, 10). The innocent man-slayer was sheltered in this city of refuge, if he remained in it till the death of the high priest. If he left its boundaries before this, the avenger of blood might kill him (Num. xxxv. 25 f.), as he might before he had escaped to the city of refuge (Deut. xix. 6) (5). Further, it was not permitted to purchase an earlier return to his possession with a money ransom, Num. xxxv. 32. Not till after the high priest's death could he leave his asylum and return to his inheritance, without being exposed to the pursuit of the avenger of blood (Num. xxxv. 28).—Hence it is clear that the appointment of cities of refuge was not common banishment, neither was it a mere protection from the vengeance of the angry Goël, but an ordinance of the righteous and gracious God to expiate innocent human blood even when unintentionally shed. The avenger of blood, for example, without incurring blood-guiltiness, was allowed to kill the man-slayer if the latter left his city of refuge before the high priest's death, but not thereafter. Then the man-slayer was free to return to the land of his possession. Thus the man-slayer must have lain under a burden of blood-guiltiness, which was only covered or expiated by the death of the high priest,—a blood-guiltiness, however, inasmuch as the deadly wound was given without premeditation, which divine righteousness would wipe out, not by punishment, but by forgiveness; not killing, but preserving life. Means to this end was provided by the high-priestly office. The high priest, "who was anointed with the holy oil" (Num. xxxv. 25), had been appointed by the Lord for His congregation, and given to make atonement for the sins committed through the weakness of the flesh. In the strength of the Divine Spirit imparted to him in his anointing with the holy oil, he was by his life and work to bring down and apply the forgiving grace of God by way of atonement. And not only so, but his death was to be the expiatory sacrifice which covered the innocent blood of the lives of his people which had been unintentionally shed (6).—But that even homicide which did not spring from hatred or enmity involved

blood-guiltiness, is clear from the ordinance regarding the thief in a case of housebreaking: "If a thief be found (caught in the act) breaking up (in the night), and be smitten that he die, there is no blood-guiltiness attaching to the doer;" for his deed was one of defence, the issue of which could not be calculated beforehand. "But if the sun be risen upon him," the man who kills him is guilty of blood; for the thief might have been taken and given over to the judge to receive the legal punishment of his crime, for which he had not deserved death (Ex. xxii. 2 f.). But by the words: "he is guilty of blood," we can hardly suppose it is meant that this guilt was to be judicially punished, still less, that it was to be punished with death (7).

These enactments regarding murder and homicide applied to the Israelite as well as to the stranger and sojourner in the land (Lev. xxiv. 21; Num. xxxv. 15), and, as it seems, not only to freemen, but also to slaves. No doubt the law ordained: "If a man smite his servant or his maid with a rod, and they die under his hand, it shall be avenged" (Ex. xxi. 20) (8). But this ordinance comes in only to prevent excess on the part of the master in exercising his right of chastisement, and does not refer to homicide proceeding from hatred or enmity. Hence, therefore, it cannot be inferred that the killing of a neighbour's slave from hatred was not to be punished as deliberate murder. For a slave's life is protected in almost the same way as that of a freeman against the goring of cattle. "If any one's ox shall push a man-servant or a maid-servant of another that they die, he shall give unto their master thirty shekels of silver, and the ox shall be stoned" (Ex. xxi. 32). This penal enactment differs from the analogous one regarding the free Israelite or stranger only in the circumstance that it fixes the price for the slave, while the other enjoins the death of the owner of the beast, but gives him the option of a money ransom, so that in reality the extreme penalty would scarcely ever be exacted.—How solemnly Jehovah protected life among His people and punished bloodshed is shown, finally, by the expiation, described § 62, of a murder the perpetrator of which remained unknown; by the command to put a railing round the roof while a new house was in course of erection, to avoid bringing blood upon

the house by any one falling down (Deut. xxii. 8) (9); and by the curse which was to be uttered, when the covenant was renewed in the land, on the man who slew his neighbour secretly, Deut. xxvii. 24 (10).

(2) The Mosaic law recognises the distinction between murder and homicide. It founds its penal enactments on the difference between intentional and unintentional killing, and uses for the two הַכָּה, *smiting*, and רָצַח, *killing*. But not only so, it distinguishes between culpable and guiltless homicide, and embraces under the former (murder) "every conscious act of violence endangering life committed on a free man immediately resulting in his death" (Winer, *R. W.* ii. p. 105), thus characterizing the individual cases coming under this description, Num. xxxv.: "If he smite him with an instrument of iron, or with a stone, wherewith he may die, or with a hand weapon of wood, wherewith he may die, and he die (vv. 16–18), and if one thrust another of hatred or hurl anything at him of set purpose, or in enmity smite him with his hand, and he die" (vv. 20 and 21). In all these cases the guilt of the death was founded, not on the intention to kill, but determined after the deadly result of the smiting or throwing.

(3) This case is still more clearly described in Deut. xix. 5: "When a man goeth into the forest with his neighbour to hew wood, and his hand fetcheth a stroke with the axe to cut down the tree, and the head slippeth from the helve and lighteth upon his neighbour, that he die."

(4) These cities were also Levitical cities (Num. xxxv. 6), and are mentioned one by one in Josh. xx. 7, 8.

(5) It is to be observed that in the first of these cases (Num. xxxv. 26) it is added, that the avenger of blood has incurred blood-guiltiness. The second case, that of the man-slayer being overtaken and put to death by the avenger of blood before he has reached the city of refuge, is only set down as possible in Deut. xix. 6, and the congregation exhorted so to arrange these cities that the way to them shall not be too long, and to keep the roads leading to them in such condition as to avoid the shedding of innocent blood. There is an indication here that the killing of the man-slayer who did not deserve to die by the avenger of blood also involved blood-guiltiness, though no punishment is assigned to it; because, on the one hand, the anger of the avenger is excusable; on the other, the man-slayer suffered for his dilatoriness.

(6) Comp. with this my explanations in my comment. on Num. xxxv. 9, and Oehler in *PRE.* ii. p. 262. — The asylum which was thus opened for the unintentional man-slayer, not

only to secure his life, but to wipe out the ethical guilt attaching to all homicide, is therefore essentially different from the natural right of asylum prevailing among other peoples, regarding which comp. Winer, *R. W.* i. p. 379 f.; and Aug. Bulmerincq, *Das Asylrecht und die Auslieferung flüchtiger Verbrecher*, Dorp. 1853.

(7) The secular court could give no judgment on this point, in most cases because the question whether the thief was simply a thief or contemplated murderer could not be determined.

(8) This expression is not to be understood, with Saalschütz, *Mos. R.* p. 539 f., of a bloody retribution, though the Rabbins, with Jonathan at their head, take it to mean capital punishment by the sword (comp. Hottinger, *Leges Hebr.* p. 60); and the killing of a slave among the ancient Egyptians, according to Diod. Sic. i. 77, was punished with death. Had this been the meaning of Moses, he would have used מוֹת יוּמַת, as in ver. 12.

(9) Of course only blood-guiltiness before God, not before a human tribunal, for every one by his own foresight could avoid the danger, Saalschütz, *Mos. R.* p. 447.

(10) Of child-murder (the murdering of new-born children) and of self-murder the Mosaic law says nothing. Of the latter we have cases in the history, 1 Sam. xxxi. 4 f.; 2 Sam. xvii. 23; 1 Kings xvi. 18; 2 Macc. xiv. 4 ff.; Matt. xxvii. 5. On the other hand, child-murder can hardly have occurred, for none of the causes which give occasion to it in modern States found a place under the Israelitish constitution. Comp. Michaelis, *Zerstr. kl. Schriften*, i. p. 143 ff.

§ 156. *Offences against the Fundamental Order of the World, and of the Kingdom of God.*

As Jehovah's people, Israel was required to be holy as Jehovah is holy, and to observe His ordinances, Lev. xix. 2 and 19. To these ordinances belong not only moral and religious precepts, but also the fundamental order of the world or creation, which subsists as unchangeably and inviolably as the order of the kingdom of grace (Jer. xxxi. 35 ff.). Hence Israel is required—

1. Not to confound or efface the *order of nature*, or the natural severance of things and creatures, as a divine order implanted in nature at creation. The Israelites must not sow their fields or vineyards with two kinds of seed, *i.e.* seeds of

different kinds mixed with one another; nor yoke an ox and ass together to plough, nor allow beasts of different kinds to pair or breed, that is to say, seek to raise hybrids, mules, for example; nor wear (half woollen) clothes woven of wool and linen, Lev. ix. 19; Deut. xxii. 9–11 (1). Lastly, they were not to castrate their beasts, Lev. xxii. 24. No punishment is fixed for the transgression of these commands, except that with the first there is the threatening: Lest the whole fruit be consecrated, the seed which thou hast sown, and the increase of the vineyard, which seems to imply that the increase of a field sown with different kinds of seed was to be holy to the Lord, *i.e.* forfeited to the priests (comp. Lev. xxvii. 21).—A tender regard to the nature of beasts is also testified by the commands, not to kill an ox or sheep with its young on one day, Lev. xxii. 28; on finding a bird's nest, not to take the mother with her young, but to let the mother escape, and only to take the young, Deut. xxii. 6 f.; and perhaps also the already (§ 99) mentioned prohibition against seething a kid in its mother's milk.

2. Higher is the *order of the moral world.* The God-ordained distinction of the sexes is to be observed by Israel even in externals. "A woman shall not wear a man's clothes, neither shall a man put on a woman's garment: for whosoever doeth these things is an abomination to Jehovah," Deut. xxii. 5. The exchanging of dress between men and women easily leads to *that* sin which terminates in the unnatural abuse of the sexes, and forms the climax of the moral corruption to which God gave over the heathen because of their apostasy from Him, Rom. i. 26 f. By unnatural sins of lust the Canaanites polluted themselves and their land, so that God visited their guilt, and the land spued out its inhabitants. Such abominations dare not exist in the Lord's land. Whosoever shall do any of these abominations, be he Israelite or stranger dwelling among the Israelites, the souls that do them shall be cut off from among their people, Lev. xviii. 24–29. Accordingly the punishment of death is ordained (*a*) for adultery (Lev. xx. 10), and for the seduction of a betrothed maiden (Deut. xxii. 23 ff.); (*b*) for *concubitus* with a menstruous woman (Lev. xx. 12); (*c*) for incest committed by sexual intercourse with a father's wife (Lev. xx. 7 f.), with a

daughter-in-law (ver. 10 f.), with a mother and her daughter (ver. 14), with a full and step sister (ver. 17); (*d*) for the abominable vices of pæderasty (ver. 13), and contra-natural crime with beasts on the part of man or woman (ver. 15 f.). In all these cases both the evil-doers shall be put to death, as well as the beast unnaturally abused, and that by stoning, —a punishment which in the case of incest with mother and daughter is still further aggravated by burning. — A like punishment is to be inflicted on the priest's daughter who begins to play the harlot, because she profaned her father (Lev. xxi. 9); whereas while fornication is certainly forbidden to the daughters of other Israelites, it has no civil punishment attached to it (Lev. xix. 29; comp. Deut. xxiii. 18). This severity in the case of the priest's daughter was demanded by her father's position. Since the priests as consecrated mediators between Jehovah and His people were to be holy to their God, not to profane His name, and to be regarded as holy by the people (Lev. xxi. 6–8), their profanation by the prostitution of their daughters must be punished with cutting off. Such a desecration of the priestly office was an act of treason against the Holy One of Israel.

Not less holy is the God-appointed moral *relation of children to parents*, in which all civil order has its root. Hence the law in the Decalogue enjoins on children reverence for their parents, with the promise of long life and prosperity in the land which the Lord will give His people (Ex. xx. 12; Deut. v. 16). Not only so, but also among the commandments, by the fulfilling of which Israel shall show itself holy to its God, it mentions in Lev. xix. 3, first the command: "Ye shall fear every man his mother and his father," and not till after that: "Ye shall keep my Sabbaths, and turn not unto idols." Therefore the man shall be put to death who smites his father or his mother, or curses them, Ex. xxi. 15, 17; Lev. xx. 9. In the "smiting" of parents is included parricide, though not expressly mentioned, because it is scarcely presupposed as possible. But even a son who set himself obstinately against the admonitions of his parents, and notwithstanding their chastisements persisted in gluttony and drunkenness, when charged by them was condemned to death by the elders of the city, and stoned, Deut. xxi. 18–21. On the other hand, no

punishment is laid down for *rebellion against the magistrate*, except the command: "Thou shalt not curse a ruler of thy people" (Ex. xxii. 28) (2); and the ordinance, that the man shall die that doeth presumptuously in not hearkening unto the priest that standeth to minister there before the Lord, or unto the judge (Deut. xvii. 12 f.).—There is nothing definite said of the *crime of treason*, because the kingdom was not expected till a future time. But that it was to be punished with death, may be inferred with perfect certainty from the penalties just mentioned for rebelliousness against parents and the supreme court of justice.

3. The punishment also of *blasphemy* and of all presumptuous *denial of Jehovah and of the holy order of His kingdom* was cutting off or death. "Whosoever curseth his God (יְקַלֵּל, strictly makes small by contemning or blaspheming) shall bear his sin; and whosoever utters the name of Jehovah (blasphemously) shall be put to death, stoned: the stranger, as the home born," Lev. xxiv. 15 f. (3). But the name of the Lord is blasphemed not only with the tongue, but by acts. Every presumptuous transgression of the ordinances, in which the holiness of His name, *i.e.* His holy presence in Israel, is manifested, is a blaspheming of Jehovah (Num. xv. 30), such as the profanation of the Sabbath by work (Ex. xxxi. 14, comp. § 77), omission of circumcision (Gen. xvii. 14), of the passover (Num. ix. 13), of fasting on the day of atonement (Lev. xxiii. 29), the eating of leavened bread during the passover (Ex. xii. 19), the eating of blood or the fat of sacrifices (Lev. vii. 25, 27), deliberate transgression of the laws of ritual purification (Lev. vii. 20 f., xxii. 3; Num. xix. 13, 20), and of other commands relating to worship (Lev. xix. 8, 16; Ex. xxx. 33, 38). Such transgressions of the divine commands, when they are committed in "ignorance," *i.e.* through thoughtlessness and weakness of the flesh, may indeed be atoned for by sin and trespass-offerings (comp. § 46). But if they are committed "with a high hand," *i.e.* in impious rebellion against Jehovah, they are to be punished with cutting off. This holds very specially of *idolatry*, and everything connected with it. Since Jehovah, when solemnly revealing Himself at Horeb, spoke indeed out of the fire, so that the sound of words was heard, but was not visible in any form (Deut. iv. 12, 15), Israel was

not to make any image of Him, or any likeness of an image in the form of men or beasts or fowls, fishes or creeping things, and worship them; nor were they to lift their eyes to the heavens, to worship sun, or moon, or stars, or any of the host of heaven (Ex. xx. 4 f.; Deut. iv. 15 ff.); for the Lord, as a jealous God and consuming fire, would avenge this sin with speedy cutting off from the land, and dispersion among the heathen (Deut. iv. 24 ff.). Cursed shall be the man that maketh a graven or molten image, an abomination unto Jehovah, the work of the hands of the craftsman, and setteth it up in secret (Deut. xxvii. 15). For by every earthly image the infinite glory of the invisible God is degraded to the finite and limited nature of the creature, the truth of God, *i.e.* the true being of God, changed into a lie (Rom. i. 25), the real God to a fictitious and imaginary one, *i.e.* brought down to the level of an idol; so that image-worship, or the adoration of God in the form of a creature, is the first step to idolatry proper, to the worship of heathen gods, who are not gods (אֱלֹהִים), but אֱלִילִים, nothings. But Israel is required not even to bring to remembrance the names of strange gods, not to let them be heard from its mouth, Ex. xxiii. 13. Whosoever sacrifices to a deity except to Jehovah alone, shall come under the curse, *i.e.* death (Ex. xxii. 19). If a man or woman in one of the cities of Israel, transgressing the covenant with Jehovah, goes and serves strange gods and worships them, sun or moon, or any of the host of heaven, immediately this abomination is proved true, they shall be brought forth to the gate and stoned to death, Deut. xvii. 2–7. Even the persuading to apostasy from Jehovah and to the worship of strange gods is to be punished with death, and the seducer is not to be spared though he should be the nearest of kin (brother, or son or daughter, or wife of thy bosom) or the closest of friends (Deut. xiii. 7–12), or should he appear as a prophet, have dreams, and give signs and wonders which come to pass (vv. 2–6).—And if a whole city suffers itself to be seduced by base fellows to apostasy and idolatry, it shall be put under a curse; its inhabitants and all its cattle smitten with the edge of the sword, and the city with all the spoil in it burned with fire as a whole offering (כָּלִיל) to Jehovah; it shall be a heap for ever, it shall not be built again (vv. 13–18) (4).

Neither shall any *sorceress* be suffered to live, Ex. xxii. 17. All, man or woman, who give themselves to conjuring the dead, or soothsaying, shall be put to death, stoned, Lev. xx. 27. Israel shall not use prognostications nor auguries (Lev. xix. 26), shall not turn to those who practise such secret arts, nor defile itself with such things (ver. 31). The soul that turneth to them that conjure the dead, or are wizards, to go a-whoring after them, Jehovah will set His face against, and cut off from among His people, Lev. xx. 6 (5). Finally, every prophet who dares to speak a word in Jehovah's name, which Jehovah has not commanded him to speak, or who speaks in the name of other gods, shall die, Deut. xviii. 20.

(1) That these four prohibitions come under one point of view is shown by the word used in relation to three of them, כִּלְאַיִם, *ducæ res diversi generis, heterogeneæ*, and hence every explanation which traces them to different grounds, as *e.g.* that of Michaelis, *Mos. R.* iv. § 218 ff., is to be rejected at once as false. Even Winer, *R. W.* ii. p. 652, finds the principle of them in the desire "to set before the soul of the Israelites, by four perpetually recurring necessities of life, the idea that unnatural unions are a trespass against God, the author of nature;" similarly Ewald, *Alterthümer*, p. 214.—On the obscure word שַׁעַטְנֵז, which denotes the material of garments of mixed wool and linen, see the various meanings in Roediger in Gesen. *Thes. s.v.*—The Talmudic precepts regarding the *heterogenea* in Mishna *Kilaim* are some of them very petty, and calculated to limit and evade the law. More on the subject in Hottinger, *Juris Hebr. leges*, p. 374 sqq.—On the prohibition to castrate beasts, comp. § 121, note 9.

(2) In the first half of this verse: "אֱלֹהִים לֹא תְקַלֵּל, *Elohim* thou shalt not curse," Josephus (*Antiq.* iv. 8. 10; *C. Ap.* ii. 33) and Philo (*vit. Mos.* iii. p. 684; *de monarch.* p. 818) understand by Elohim the gods of other peoples. Decidedly false, derived from the syncretism of the Hellenists.—Onkelos, Jonathan, Aben Ezra, Raschi, and many older theologians down to Michaelis, *Mos. R.* v. § 251, and Saalschütz, *Mos. R.* p. 496, apply it to *judges* and *magistrates*, referring to Ex. xxi. 6. Only from the fact that the judgment is God's (Deut. i. 17), so that he who stands to be judged comes before God (Ex. xxi. 6; Deut. xix. 17), it does not follow that Elohim in our passage denotes judges or magistrates. Here the strict meaning *God* can be maintained. God shall not be blasphemed, nor a prince among the people cursed. Inasmuch as princes are God's representatives on the

earth, the cursing of them indirectly involves a blaspheming of God. Comp. Mich. Baumgarten on Ex. xxii. 27.

(3) Founding on this passage, the Jews from ancient times have regarded it as an offence worthy of death to pronounce the name יהוה, *Jahve* (Jehovah), so that the Alexandrine translators substituted for it ὁ κύριος, and the Hebrew Jews read for it *Adonai* or *Elohim*. In doing so, they started from the right view, that נקב does not mean—as the more modern lexicons and commentaries say—also *to curse*, but only *to pronounce*. They were mistaken, however, in so far as they overlooked how the: "whosoever pronounces the name of Jehovah," is limited by being brought under the general case: whosoever curseth his God shall bear his sin (ver. 15); and partly also by its reference to the case of blasphemy in question (ver. 11). For, thus limited, it means: whosoever pronounces the name of Jehovah blaspheming, as the offender had done. Comp. Hengstenberg, *Beiträge*, ii. p. 223.

(4) For more exact particulars regarding the curse, see § 70, 1.

(5) Regarding image-worship, idolatry, and the various kinds of sorcery, comp. § 90 and 91.

THIRD SECTION.

ISRAEL'S POLITICAL STANDING TOWARD OTHER PEOPLES.

§ 157. *International Relations. Treaties.*

Israel, as the Lord's covenant people, was no doubt to hold aloof from heathen influences and from idolaters. It was confined within itself, both by the geographical situation of the land allotted to it by the Lord (§ 8), and by the occupation assigned to it in that land of farming and rearing cattle; and it was protected against that mixing with other peoples which would have endangered its nationality and theocratic mission. But it was by no means intended that it should live wholly isolated and cut off from intercourse with other nations, especially those on its borders; but only that it should seek its development independently under its God-given constitution, so as to be able to fulfil its task in the history of the world of cherishing the knowledge of the true God, and of thereby

preparing for the salvation of the nations. But many friendly as well as hostile relations to other peoples were so far from being thereby excluded, that they were intended to be means in the divine plan of guiding Israel to its destination, and training it for its divine calling (1).

Even the patriarchs entered into international relations with the peoples of Canaan, concluding treaties and covenants with the inhabitants of the land and its princes to secure their subsistence in the territory which had been promised them for an inheritance, but not yet given to them in actual possession, Gen. xiv. 13, xxi. 27; 32, xxvi. 28, xxxi. 44. The Mosaic legislation, too, teaches Israel not only to respect and love strangers, Ex. xxii. 20, xxiii. 9, Lev. xix. 33 f., Deut. x. 18, 19, but also to acknowledge foreign peoples within their territory. Though the law repeatedly inculcates on the Israelites to root out the nations of Canaan, which, because of their abominations, had fallen under God's judgment (2), and to make no covenant with them (Ex. xxiii. 32 f., xxxiv. 12 ff.; Deut. vii. 1 ff.), yet it forbids them at the same time to make war on the other peoples—Edomites, Ammonites, and Moabites —or to conquer their land, Deut. ii. 4 ff., 9 and 19.—In general, Israel is not to set itself to make conquests, but to apply itself peacefully in its own land to the service of its God, and to enjoy the fruits of the soil. Accordingly, it is nowhere forbidden in the law to form friendly and peaceful relations with other peoples, nor even to maintain peace with them by covenants and treaties. Thus David entered into friendly relations with the Tyrian king Hiram (2 Sam. v. 11), with the Ammonite king Hanun (2 Sam. x. 2); and Solomon made a treaty with Hiram to receive from him materials and builders for his temple (1 Kings v. 15 ff.), without falsifying or endangering their theocratic standing by these treaties and covenants (3). As little was commercial intercourse with other peoples forbidden to the Israelites, though they were not to be a commercial people (comp. § 128). The law expressly allows them to take usury from foreigners (Deut. xxiii. 20), and presupposes mercantile relations to such, when, *e.g.*, it is promised that they shall lend to many peoples (Deut. xv. 6). It merely limits their intercourse with foreigners as far as was necessary to protect Israel, in keeping with its destina-

tion, from seduction to idolatry and falling away into heathenism.

Covenants were not only concluded with an oath (Gen. xxvi. 28, xxxi. 53; Josh. ix. 15; 2 Kings xi. 4), but, after an ancient Chaldee custom (4), confirmed by slaughtering and cutting a victim into two halves, between which the parties passed, to intimate that if either of them broke the covenant, it should fare with him as with the slain and divided beast (Gen. xv. 9 ff.; Jer. xxxiv. 18 f.). Hence to make a covenant is called כָּרַת בְּרִית, *ὅρκια τέμνειν, fœdus icere, ferire, percutere.* Moreover, the covenanting parties were wont to have a common meal (Gen. xxvi. 30 f., xxxi. 54; comp. 2 Sam. iii. 20 with ver. 12), or at least to partake of salt (some grains of it), to make the covenant a *covenant of salt* (Num. xviii. 19; 2 Chron. xiii. 5), *i.e.* inviolably secure (5).

(1) This divine plan is clearly declared in Judg. ii. 6–23, where it is said, ver. 21 ff.: God did no more drive out any from before them, of the nations which Joshua left when he died, that by them He might prove Israel whether they would keep the way of the Lord, to walk therein or not. Comp. also § 7.

(2) To the peoples who were to be rooted out belonged also the Amalekites, Ex. xvii. 14, 16, Deut. xxv. 17–19, "because they as the first of the heathen nations (רֵאשִׁית גּוֹיִם, Num. xxiv. 20) had attacked Israel with treacherous malice after its glorious deliverance from Egypt, and thus laid their hand on the throne of God." Comp. Hengstenberg, *Beitrr.* iii. p. 309 f.

(3) Even the treaty which the Gibeonites had obtained by guile from the Israelites was kept by Joshua and the princes of the congregation, so that they were not rooted out, but only to punish their treachery, made hewers of wood and drawers of water to the congregation, or slaves to the sanctuary, Josh. ix.; comp. my comm. on ver. 18.—The prophets, however, rightly censured and contended against those treaties, by which Israel, distrusting the help of its God, sought to find unreliable support (Isa. xxxvi. 6) against the invasion of the great world-powers, because they only contributed to hasten its destruction, Isa. viii. 5 ff., xxx. 1 f., xxxi. 1, etc.; comp. also 2 Kings xx. 12 ff.

(4) Ephræm Syr. remarks on Gen. xv. 9 (*Opp.* i. p. 161): "Mores gentis Chaldæorum istud ferebant, ut juraturi per dissecta victimarum cadavera, certo utrinque ordine ac loco disposita transirent et singuli præscripta verborum formula ita

precarentur: faxit Deus ne similem exitum ipse feram." The same custom prevailed among the ancient Greeks and Macedonians. Comp. Dougtæi, *Analect. sacr.* i. p. 68 sq; and Winer, *R.W.* i. p. 201. Among other peoples, Medes, Lydians, Armenians, Arabs, Scythians, the parties to a treaty were wont to draw blood from their veins and to drink or lick it (Winer, *ubi supra*). This custom is unknown to the Israelites, for there is no reference to it in Ps. xvi. 4. On covenanting with Jehovah, comp. § 54.

(5) Though the expression *covenant of salt*, in the passages quoted, is used only of a covenant with God, and denotes only an inviolable covenant, yet it presupposes the eating of salt in connection with covenants, as a custom known to the Israelites. The custom has continued among the Arabs to the present day. Comp. Schultz, *Leitungen des Höchsten*, v. p. 247; and Knobel on Lev. ii. 13.

§ 158. *Army and Arms.*

Israel was not to be a conquering people. Yet at the beginning of its exaltation it had to take the land promised to it for an inheritance by force of arms. Not only so, it had to defend itself against hostile attacks, first in the wilderness, and later in its own land. Hence Israel marched out of Egypt, Ex. xii. 41, xiii. 18, as the host of Jehovah armed (חֲמֻשִׁים) (1). As such, the people were arranged according to their tribes and divisions of tribes on the march and in the camp (Num. i.–iv.); and every male Israelite from his twentieth year onwards, when the numbering of the people took place, was entered among those who should do military service (Num. i. 2 f., xxvi. 2). From this service only the Levites were exempted (Num. ii. 33) (2). All the rest were entered in the muster rolls kept by the Shoterim (Num. i. 18). As soon as war broke out, the number of fighting men required for it was collected from the different tribes and formed into an army, the levy being made, no doubt, by the heads of the people and the Shoterim, and by these placed on the field (3).—The army thus constituted, militia, was divided, probably in respect of the different kinds of arms in which each was practised (2 Chron. xiv. 8), into companies of thousands, hundreds, and fifties, and for every company a leader, captain of thousands, of hundreds, of fifties, was named (Num. xxxi. 14, 48; 1 Sam. viii. 12; 2 Kings i. 9) as commanding officer (פָּקִיד),

and the entire force was put under a general (שַׂר הַחַיִל or שַׂר הַצָּבָא). The provisioning of the army was laid on each tribe so far as the warriors supplied by it were concerned, and was seen to by a number of men from each (4).—The Israelitish army, from the time of Moses to that of David, consisted only of footmen (1 Sam. xv. 4); and when the war was ended, every one returned to his house and business.

A beginning was made of a standing army soon after the kingdom was set up. Saul chose for his wars, from the entire population fit to bear arms, a body of 3000 men (1 Sam. xiii. 2 f., xxiv. 3), which he completed by enlisting strong and valiant men (1 Sam. xiv. 52). Besides his body-guard, David had a company (גִּבּוֹרִים, 2 Sam. xvi. 6, xx. 7), formed of the 600 warriors who had gathered to him in his wars with Saul (1 Sam. xxii. 2, comp. xxiii. 13, xxv. 13, and 2 Sam. xv. 18), from which his most noted captains were selected (2 Sam. xxiii. 8 ff.) (5). Moreover, he organized from the people a national army in twelve divisions, each one of which, consisting of 24,000 men, took service for a month in the year (1 Chron. xxvii.). Solomon strengthened the military force of the kingdom by introducing horsemen and war-chariots (פָּרָשִׁים וְרֶכֶב, 1 Kings v. 6 [iv. 26], and x. 26), which he placed in the fenced cities, especially those on the frontiers of the kingdom (1 Kings ix. 19) (6).—These arrangements were kept up by his successors, and by some of them the military power was greatly strengthened in foot and horse (2 Chron. xiv. 8, xvii. 14 ff., xxv. 5, xxvi. 11 ff.; comp. 1 Kings xvi. 9; 2 Kings viii. 21, xiii. 7; Isa. ii. 7; Micah v. 9); sometimes also foreign troops were hired as auxiliaries (2 Chron. xxv. 6 ff.). — Further, this force was, strictly speaking, only a national militia, not in constant service, but in times of peace no doubt for most of the year at home doing their agricultural work, and without pay. Even in war their pay probably consisted only of supplies in kind and a fixed portion of the spoil.

(1) Comp. on this word my comment. on Ex. xiii. 18.

(2) Up to what age military duty lasted is nowhere stated in the Old Testament; according to Joseph. *Antiq.* iii. 12. 4, to the fiftieth year—no doubt following the analogy of the time of Levitical service, Num. iv. 2 f.

(3) Thus, for the war against the Midianites each tribe provides only 1000 men (Num. xxxi. 4); and the tribes of Reuben, Gad, and half Manasseh send only 40,000 over Jordan to help their brethren to conquer Canaan, Josh. iv. 13. But the principle on which such levies proceeded is unknown to us. The law ordains that any one who has built a new house and not yet consecrated it, or who has planted a vineyard and not yet enjoyed it, or who has betrothed a wife and not yet taken her home, shall not go out to battle, but return and enjoy his house, or his vineyard, and marry his wife (Deut. xx. 5–7). Even the faint-hearted were to be dismissed by the Shoterim, lest they should make the hearts of their brethren fearful (ver. 8). But often, especially on occasion of sudden invasions by a strong enemy, the whole population was called to arms by messengers sent out (Judg. vi. 35), or by sound of trumpet and signals planted on the mountains (נֵס), Judg. iii. 27, vi. 34, vii. 24; 1 Sam. xi. 7, etc. In this way enormous armies were brought together; comp. Judg. xx. 2, 17; 1 Sam. xi. 8, xv. 4; 2 Sam. xxiv. 9; 1 Chron. xxiv. 9; 2 Chron. xiii. 3, xiv. 7, xvii. 14 ff., xxvi. 13; though in some of these passages the numbers of our present text are certainly corrupt. Comp. my *Apologet. Vers. üb. die Chronik*, p. 321 ff.

(4) This is clear from Judg. xx. 10, where the tribes assembled for war against Benjamin appoint every tenth man from the different tribes to see to the victualling of the troops; and from 1 Sam. xvii. 17 f., where Jesse sends provisions for his sons in the field. On the other hand, it cannot be inferred from 2 Sam. xvii. 27 ff., that the neighbouring places saw to the support of the troops when encamped. For what is here related sprang from love to the fugitive king and his faithful followers, and from sympathy with their wants.

(5) This guard, or the *élite* of them, who formed the royal satellites, was called שָׁלִשִׁי, 2 Sam. xxiii. 8, 18; 1 Kings ix. 22; 2 Kings x. 25. Comp. my comment. and that of Thenius on 2 Sam. xxiii. 8. Ewald's opinion (*Geschichte*, iii. p. 178 f.), which Winer takes to be probable, that שָׁלִשִׁים denotes the thirty officers of the guard, consisting of 600 men, is wholly disproved by 2 Sam. xxiii. 8, 18.

(6) The Pharaohs even in Moses' time had horsemen and chariots, Ex. xiv. 6, 7; also the Canaanites in the plains of Palestine, Josh. xi. 4, xvii. 16; Judg. i. 19, iv. 3. These as well as the Philistines (1 Sam. xiii. 5), and later the Syrians (2 Sam. x. 18; 1 Kings xx. 1, xxii. 31; 2 Kings vi. 14 f.), were formidable to the Israelites, because of these forces, though they could only be used with success on plains. Since Israel was not to put its trust in horses and chariots, and its king was

not to keep many horses (Deut. xvii. 16), David caused the riding and chariot horses taken from the Syrians to be houghed (2 Sam. viii. 4). To judge from the illustrations of Egyptian and Assyrian monuments (comp. Wilkinson, *Manners*, etc., i. pp. 336, 338, 354, and 385; and Layard, *Nineveh and its Remains*, ii. p. 348 ff., fig. facing p. 350, and fig. facing p. 137), the *war-chariots* were two-wheeled, and made for one, or most generally two warriors, who fought standing, and a driver. They were drawn by two horses, beside which a third ran, to take the place should one of them be wounded or killed, so that 4000 horses stand in proportion to 1400 chariots (2 Chron. i. 14, comp. with ix. 25). *Iron war-chariots* (רֶכֶב בַּרְזֶל, Josh. xvii. 16, 18, etc.) are hardly to be regarded as having been wholly of iron, but only heavily plated with it. They were not yet, however, provided with scythes or sickles attached to the wheels (*ἅρματα δρεπανηφόρα*, 2 Macc. xiii. 2, *currus falcati*) to mow down the infantry of the enemy. More on this subject, see in Jac. Lydii *Syntagma sacr. de re milit.*, ed. S. van Till, Dordr. 1698, p. 131 sqq.; and the more recent literature in Winer, *R. W.* ii. p. 670 f.

In their wars with the Seleucidæ the Jews under the Maccabees had also to contend against trained *elephants* in the Syrian army, 1 Macc. iii. 34, vi. 30 ff.; 2 Macc. xi. 4, xiii. 2, etc. The war elephants used to carry on their backs a wooden tower, in which were three to four or five soldiers (not thirty-two, as is mistakenly given 1 Macc. vi. 37), and they were guided by a driver called *ὁ Ἰνδός* (1 Macc. vi. 37); because India supplied not only the best elephants, but also the best drivers. Before going into battle they were maddened with an intoxicating drink made of the juice of grapes and mulberries (1 Macc. vi. 34), or with wine seasoned with incense (3 Macc. v. 2), which was held up or given to them; comp. Winer, *R. W.*, art. "Elephant," and my comment. on 1 Macc. vi. 34 ff.

The *arms* of the Israelites under Moses and Joshua were simple; their whole armour at that time consisted most probably of *weapons of offence,—sword, spear* or *lance*, and *bow*. The patriarchs even had sword and bow (Gen. xlviii. 22). The sword (חֶרֶב), kept in a sheath (תַּעַר, 1 Sam. xvii. 51, or נָדָן, 1 Chron. xxi. 27; *θήκη*, John xviii. 11), fastened to a girdle on the left thigh, sometimes two-edged (שְׁנֵי פִּיוֹת, Judg. iii. 16; *δίστομος*, Heb. iv. 12), was used for cutting down and piercing (1 Sam. xxxi. 4; 2 Sam. ii. 16, xx. 10, etc.). The *javelin* or *spear* and the *lance* (רֹמַח, חֲנִית, and כִּידוֹן), the difference between which cannot be exactly

determined (7), consisted of a wooden shaft (חֵץ or עֵץ) pointed with iron or brass (1 Sam. xvii. 7; 2 Sam. xxi. 19), and were the most common weapons for stabbing or thrusting, but were also thrown to a distance (1 Sam. xviii. 11, xix. 10, xx. 33).—The *bow* (קֶשֶׁת) was of tough wood or brass (2 Sam. xxii. 35; Job xx. 24), and its string (יֶתֶר or מֵיתָר, Ps. xi. 2, xxi. 13) was stretched with the hand, the foot being used to bend the bow (דָּרַךְ קֶשֶׁת, 1 Chron. v. 18; Ps. vii. 13). The arrows (חִצִּים) were kept in a quiver (תֵּלִי or אַשְׁפָּה), which was carried on the back, and they were sometimes wrapped round with combustible material and shot when lighted (Ps. vii. 14). —Very ancient also is the use of the *sling* (קֶלַע), arising from shepherd life (1 Sam. xvii. 40), as a weapon of war, in the use of which the Benjamites were specially distinguished (Judg. xx. 16), as they were also good bowmen (1 Chron. viii. 40, xii. 2; 2 Chron. xiv. 7, xvii. 17) (8).

To these were added as *weapons of defence: shield, helmet, coat of mail, greaves,* and *war-boots,* which the Israelites first came to use when the making of arms became a profession, and the kings organized standing armies. The earliest mentioned is the shield; but (apart from Gen. xv. 1 and Deut. xxxiii. 29, where the word is used figuratively) it first appears as a weapon borne by Israelites in the song of Deborah (Judg. v. 8), next by the valiant men who gathered round David when persecuted by Saul, and of whom some were armed (1 Chron. xii. 8, 24 and 34) with target and lance (רֹמַח), the rest with target and spear (חֲנִית). On the size, form, and material of the common shield of the Israelites we have no exact information. From the words used for it, צִנָּה and מָגֵן, by comparison of 1 Kings x. 16 f., and 2 Chron. ix. 16, we learn thus much only, that צִנָּה, *tzinnah,* was the target, *scutum,* the larger shield which covered the whole body; מָגֵן, *magen, clypeus,* the smaller one. In form, as among the Syrians and other peoples, they were sometimes oval, sometimes round, made of wood or wicker-work, and covered with leather or tin, or of thick untanned ox or camel leather, which was saturated with oil (2 Sam. i. 21); in exceptional cases, of brass (1 Sam. xvii. 6) and gold, *i.e.* plated with gold (1 Macc. vi. 39) (9). On the march they were carried on the shoulder; in action, on the left arm by means of a thong.—The *helmet* (קוֹבַע

or בּוֹבַע, *περικεφαλαία*, Eph. vi. 17) and the *coat of mail* (שִׁרְיוֹן, שִׁרְיָן, *θώραξ*) were worn under Saul only by champions, leaders and kings (1 Sam. xvii. 38; 1 Kings xxii. 34). Even under Asa the Israelitish host is still armed with targets, shields, spears, and bows (2 Chron. xiv. 7); but under Uzziah, with shields, spears, helmets, coats of mail, bows, and slings (2 Chron. xxvi. 14; comp. Neh. iv. 10). The helmets and coats of mail of the champions were of brass (1 Sam. xvii. 5, 38), of copper scales (קַשְׂקַשִּׂים, 1 Sam. xvii. 5), or set with scales of brass (*lorica squamata*); in the case of the common soldier the helmet was of leather, and the coat knitted or woven of linen cords and provided with a plate of tin under the breast (10).—*Greaves* (מִצְחָה), for covering the leg, of brass, widely known in antiquity, are mentioned in the Old Testament only in the case of Goliath (1 Sam. xvii. 6); and the *war-boot* (סָאוֹן), a sort of half boot made of leather studded with strong nails, only in Isa. ix. 4, so that the two pieces do not seem to have belonged to the common armour of the Israelites (11).

(7) Since רֹמַח is mentioned so early as in the wilderness (Num. xxv. 7, comp. also Judg. v. 8), whereas the חֲנִית is first mentioned in the Books of Samuel, we might incline to take both words for different designations of the same piece of armour But decisive against this is 1 Chron. xii., where the children of Judah who come to David at Hebron bear target and רֹמַח (ver. 24, comp. ver. 8); but the men of Naphtali target and חֲנִית (ver. 34), whence רמח and חנית must have been different. Probably רֹמַח is a lance, a short iron or brazen pike; חֲנִית, spear, a long pike with wooden shaft pointed with brass or iron, which was also used for throwing.—Also different from חֲנִית was the כִּידוֹן (1 Sam. xvii. 6 and 45), a word which the ancients explain very variously (comp. Bocharti *Hieroz.* i. p. 135 sqq.); but which, as Bochart has shown, does not denote the shield but an offensive weapon; perhaps a small javelin of brass. Comp. on the Egyptian javelin, Weiss, *Kostümk.* i. p. 57 f.

(8) The *sling* consisted of a cord formed of twisted thread or plaited hair, in the middle of which was a broad leather thong to receive the stone. In using it the slinger took hold of the two ends of the cord, swung the sling once or twice round his head, and then let fly the stone, hitting the mark at a distance of six hundred paces. Comp. Winer, *R. W.*, art.

"Schleuder;" and Riehm's *Hdwb.*, art. "Bogen;" also Layard, *Nineveh and its Remains*, ii. p. 344, fig. same page; and on Egyptian bows and slings, Weiss, *Kostümk.* i. p. 56 f.

(9) Two other words for shield are used, סֹחֵרָה, Ps. xci. 4, poetical, and שֶׁלֶט, probably the ornamental shield, 2 Sam. viii. 7; 2 Kings xi. 10; Song of Sol. iv. 4; comp. Gesenii *Thes. s.v.*—The golden shields, which are mentioned in connection with the equipment of armies (1 Macc. vi. 39), were most probably only gilt; on the contrary, those of the generals of Hadadezer, 2 Sam. viii. 7, and those which Solomon made (1 Kings x. 16 f., and xiv. 26), are to be regarded as ornamental pieces of massive gold, such as were later sent to Rome as gifts, 1 Macc. xiv. 24, xv. 18. Brazen shields also occur only in connection with leaders and royal guards, 1 Sam. xvii. 6, and 1 Kings xiv. 28. The shields of the Assyrians were sometimes round, sometimes oval, made of hides, wicker-work, or metal, and of various sizes; comp. Layard, *ubi supra*, p. 344 f.; and Weiss, *Kostümk.* i. p. 211 f. Those of the ancient Egyptians were oblong, and only rounded above; comp. Wilkinson, i. p. 298 ff.; and Weiss, *ubi supra*, p. 54 f.—In the Roman period the Jews had egg-shaped shields; see the illustrations on coins in Jahn, *Bibl. Archäol.* ii. 2, taf. xi. 6. 8.

(10) The *helmets* of the Assyrians were of tin or brass, and of very different shapes, pointed or conical or circular caps; comp. Layard, ii. p. 338 f.; and Weiss, p. 212 f.—The ancient Egyptians and other peoples of antiquity had linen breastplates; comp. Wilkinson, iii. p. 382 f.; Hengstenberg, *BB. Mos. u. Æg.* p. 146; and Weiss, p. 55. Among the ancient Assyrians, those who fought in chariots round about the king had coats of scale armour which reached to the ankles; the scales were of tin, and probably fastened to a shirt of felt or linen; comp. Layard, p. 335 f.; and Weiss, p. 213 f.—In the army of the Syrian Seleucidæ, we read of chain armour and brazen helmets (1 Macc. vi. 35).

(11) *Greaves*, κνημῖδες, of brass are already found in the armour of the Homeric heroes (*Il.* vii. 45); they were widely spread in antiquity, and are said to have been invented by the Carians (Winer, *R.W.* ii. p. 668). On the Assyrian monuments, soldiers of Khorsabad wear gaiters, which seem to have laced in front; comp. Layard, p. 337, with fig.; and on the Assyrian war-boot, *ibid.* p. 323 f. and fig. *a*. Besides these, comp. Gesenius on Isa. ix. 4; and Weiss, *Kostümk.* i. p. 212 f.

After the exile, the Maccabees anew organized the Jewish military system. Judas appointed captains over his companies of a thousand, a hundred, fifty, and ten men, and following the

command of the law, allowed those to return home who had built houses, betrothed wives, or were fearful (1 Macc. v. 55 f.). Simon the Prince first hired an army at his own expense (1 Macc. xiv. 32); John Hyrcanus enlisted also foreigners, especially Arabs (Joseph. *Antiq.* xiii. 8. 4); and, conversely, Jews entered into foreign military service (1 Macc. xvi. 36). At a later time the princes, especially the Herodians, were forced to use foreign soldiers to hold in check the parties among the Jews, and to uphold their power, till at length Roman legions were required to keep the peace in the land (12).

(12) See further particulars in Winer, *R.W.* i. p. 684 f.

§ 159. *Conduct of War.*

In more ancient times, unless the Israelites were attacked or surprised by enemies (Ex. xvii. 8; Num. xxi. 1), they undertook wars only by divine command (Num. xxxi. 1; Josh. i. 1 ff.); or, after consulting the divine will by the high priest (Judg. i. 1, xx. 18; comp. 1 Sam. xiv. 37, xxiii. 2, xxviii. 6), or by a prophet (1 Kings xxii. 6 f.; 2 Chron. xviii. 4). The campaign was generally opened in spring (2 Sam. xi. 1). The army did not go out to war without having with it the ark of the covenant as the symbol of Jehovah's presence, on the ground of Num. x. 35, that Jehovah might walk in the midst of it, and help it to overcome the enemy (Deut. xxiii. 14, comp. with Num. xiv. 42–44; 1 Sam. iv. 4 ff., xiv. 18; 2 Sam. xi. 11) (1). With the army there were, in accordance with Num. x. 9, priests with silver trumpets, to be blown when the attack was made, that Jehovah might remember His people and give victory (Num. xxxi. 6; 2 Chron. xiii. 12; 1 Macc. xvi. 8). Hence the camp was to be kept clean; and if any one had been rendered unclean by some occurrence during the night, he must leave the camp, and not return until he had been purified (Deut. xxiii. 10-15).

As to the plan and arrangements of the camp, we lack more exact information. From the disposition of the Mosaic camp in the wilderness (Num. ii.), we can only conclude, so far with certainty regarding the simple war-camp, that the ark with the

priests was in the midst of it. The troops, however, were no doubt arranged less by tribes than by the similarity of the arms they bore; and the form of the camp, which was guarded by outposts (Judg. vii. 19; 1 Macc. xii. 27), differed according to the ground (2).

(1) Ruetschi, in *PRE.* viii. p. 87, is mistaken in affirming that there is not a trace of the taking of the ark to war after its capture by the Philistines (1 Sam. iv. 4 ff.). It is not till after David's time that we have no certain instance, as Hengstengberg, *Psalmen*, ii. [E. tr. T. & T. Clark], has rightly remarked, in opposition to Movers, *Bibl. Chron.* p. 289.

(2) Winer infers, *R.W.* i. 681, from the analogy of the camps of the Bedouins (Arvieux, iii. p. 214) and ancient Greeks (Xenophon, *Rep. Laced.* 12. 1), that it was round in shape; and this is not improbable. Only no proof for this can be drawn from the מַעְגָּל, 1 Sam. xvii. 20, xxvi. 5; for this word, interpreted very variously even by the ancients, may mean in 1 Sam. xxvi. 5, the waggon fortification (comp. Kalkar, *Quæstionum bibl. spec.* ii. p. 52), if it is not to be identified with the *magalia* of the Numidians, denoting the *camp-tent*. Comp. Gesenii *Monumm. phœnic.* p. 392; and *Thesaur.* p. 989.

The beginning of hostilites was generally, though not always, preceded by negotiations and declarations of war (Judg. xi. 12 ff.; 1 Kings xx. 2 ff.; 2 Kings xiv. 8). Immediately before battle a sacrifice was offered with due formalities (1 Sam. vii. 9, xiii. 9 ff.); then by a priest (Deut. xx. 2 ff.), or by the commander himself (2 Chron. xx. 20), a stirring speech was addressed to the troops; and after these preliminaries (Judg. vii. 19 ff.; comp. Josh. vi. 20) the battle was begun with a terrible war-cry (תְּרוּעָה, 1 Sam. xvii. 52; Isa. xlii. 13, etc.) (3). —The *order of battle* (מַעֲרָכָה, 1 Sam. iv. 2, xvii. 8) seems to have consisted simply of putting the army in line, but so that the centre and two wings formed separate divisions under distinct leaders, who attacked the enemy simultaneously in the front and on the flanks (4) (Judg. vii. 16, 20; 1 Sam. xi. 11; 2 Sam. xviii. 2; comp. 1 Macc. v. 33), and they fought man to man, personal dexterity and bravery deciding the day. Not unfrequently also it was sought to conquer the enemy by a sudden night attack (Judg. vii. 16 ff.), by laying an ambush (Josh. viii. 2, 12; Judg. xx. 36; 1 Sam. xv. 5; comp. 2 Kings

vii. 12 ff.), or by circumventing the line (2 Sam. v. 23). Spies were also sent out to ascertain the position, strength, and disposition of the enemy, and to ensure as far as possible the success of the attack (Josh. ii. 1 ff., vi. 22; Judg. vii. 11 ff.; 1 Sam. xxvi. 4; 1 Macc. v. 38, xii. 26).—Sometimes the general engagement was opened with a duel, and victory decided beforehand by its result (1 Sam. xvii.; 2 Sam. ii. 14 ff.). Commanders and kings were wont to stimulate to such bold deeds of arms by proclaiming a large reward (Josh. xv. 16; Judg. i. 12; 1 Sam. xvii. 25 ff., xviii. 25 f.; 2 Sam. xviii. 11; 1 Chron. xi. 6).—If the enemy was put to flight, he was pursued by the victorious troops, till the trumpet (שׁוֹפָר) gave the signal to halt and to return to the camp (2 Sam. ii. 28, xviii. 16, xx. 22), which had been protected during the fight against hostile attacks and surprises by a garrison left in it (1 Sam. xxx. 24).

(3) As among almost all the peoples of antiquity; comp. Dougtæi, *Analect. sacr.* i. p. 74 sq.

(4) The term *wings* (כְּנָפַיִם) of an army is used so early as by Isa. viii. 8; comp. Gesenius on the passage. — The formation of four divisions is unusual, 2 Macc. viii. 22.

War was protracted by the *siege* of strong *fortresses*. When the Israelites came before a city outside of Canaan, to make war on it, they were required to summon it to peace, *i.e.* to peaceful surrender; and if on this summons it opened its gates, they were to make all the inhabitants tributary and subject. But if it rejected their proposals, it was to be besieged. If now it was taken, all the male inhabitants were to be slain with the edge of the sword, and women, children, cattle, and all possessions taken as spoil, Deut. xx. 10–15.—In connection with a siege (מָצוֹר), the law allowed only those trees to be felled which did not yield edible fruit; fruit trees, on the other hand, it commanded to be spared (Deut. xx. 19 f.). The siege began with drawing a line of circumvallation (בְּנָה מָצוֹר, Deut. xx. 20) (5), to cut off all access to the besieged, and with throwing up a rampart gradually approaching the fortress (שָׁפַךְ סֹלְלָה, 2 Sam. xx. 15; 2 Kings xix. 32), therefrom to make breaches with battering-rams (כָּרִים, *arietes*, Ezek. iv. 2, xxi. 27) and other machines

(μηχαναί, 1 Macc. xi. 20), and finally to scale the walls with ladders (6). On the other hand, the besieged sought partly to protect themselves by strengthening their walls (Isa. xxii. 10), partly by sallies to destroy the siege works (1 Macc. vi. 31), partly to injure the enemy and prevent the taking of the city by shooting arrows (2 Sam. xii. 24), hurling down stones and beams from the walls (Judg. ix. 53; 2 Sam. xi. 21), for which special machines for the purpose were used in later times (חִשְּׁבֹנוֹת, 2 Chron. xxvi. 15) (7). Thus the sieges of strong and bravely defended cities were often greatly protracted, till at last they were reduced by hunger (8).—Cities taken by storm were sometimes utterly destroyed, and the houses levelled to the ground (Judg. ix. 45; 1 Macc. v. 51 f.), but often also they were only spoiled of their treasures and their walls torn down (1 Kings xiv. 26; 2 Kings xiv. 14, xxiv. 13).

(5) The expression בָּנָה מָצוֹר, to build siege works (bulwarks), or נָתַן מָצוֹר, to make bulwarks, Ezek. iv. 2, denotes only in general the erecting of siege works, which perhaps in more ancient times consisted merely of throwing up a rampart of earth, wood, and palings. Thus, 2 Sam. xx. 15, in the siege of Abel Beth Maachah only the throwing up of a rampart is mentioned (comp. also 2 Kings xix. 32). Not till their wars with the Assyrians, who were highly advanced in military tactics and siege operations, did the Israelites become acquainted with artificial bulwarks. This embraces the building of the דַּיֵּק and the planting of battering-rams (כָּרִים), 1 Kings xxv. 1; Ezek. iv. 2, xxi. 17, etc.—Against the view defended by Gesenius (*Thes.*), Winer, etc., that דַּיֵּק denotes watch-tower, *speculæ*, *turres speculatoriæ*, is the constant use of the singular, and the accompanying סָבִיב, to build *round about* (comp. Hitzig on Jer. lii. 4). The word rather seems to denote the artificial line of circumvallation, the entrenchment round the besieged city, under protection of which the besiegers carried on their operations, in contradistinction to שִׁפֵּךְ סוֹלְלָה (Ezek. xxi. 17, xxvi. 8), throwing up a rampart by heaping up earth (Hab. i. 10), which was made to rise gradually in height from the line of circumvallation toward the city. If the castle was built upon a natural or artificial eminence, an inclined plane reaching to the summit of the mound was formed of earth, stones, or trees, and the besiegers were then able to bring their engines to the foot of the walls. This road was not un-

frequently covered with bricks, forming a kind of paved way, up which the ponderous machines could be drawn without much difficulty (Layard, *ubi supra*, ii. p. 366 f.). These ramparts (*approches*) "not only enabled the besiegers to push their battering-rams up to the castle, but at the same time to escalade the walls, the summit of which might otherwise have been beyond the reach of their ladders" (*ibid.* p. 367).—The *battering-rams*, with which the Chaldeans fought against Jerusalem, no doubt came from the Assyrians, on whose monuments various kinds appear, some of them moveable towers with four or six wheels, which were occupied by armed soldiers, and equalled in height the towers of the besieged city. They were formed of a frame covered with wicker-work, and provided with a battering-ram. "The artificial towers were usually occupied by two warriors; one discharged his arrows against the besieged . . . the other held up a shield for his companion's defence." Or again, they were simple frames without a tower, having a sort of drapery with fringes, or covered with hides, moving on wheels, and provided with two rams. Comp. Layard, *ubi supra*, ii. p. 369 f., figs. on pp. 368 and 369. The latter kind is also represented on Egyptian monuments; comp. Wilkinson, i. p. 360. A peculiar, singularly strong, and almost irresistible kind of siege machine was used by Simon the Prince in the siege of Gaza, 1 Macc. xiii. 43 ff., under the name ἑλέπολις, which Demetrius Poliorcetes is said to have invented, and Ammianus Marcell. xxiii. 4. 10, has described more particularly. Comp. Grimm, *Exeget. Hdb.* on the passage.

(6) The scaling of the walls was the oldest, and even among the Assyrians the commonest, way of taking a fortress. On the Assyrian bas-reliefs, which show neither the battering-ram nor any other machine, ladders are seen reaching up to the battlements, on which several persons could mount together. "Whilst warriors, armed with the sword and spear, scaled the walls, archers, posted at the foot of the ladders, kept the enemy in check, and drove them from the walls." Layard, p. 372 f., and fig. facing.

(7) The artificial hurling-machines (חִשְּׁבֹנוֹת מַעֲשֵׂה חֹשֵׁב, *machinæ opus ingeniatoris*), which Uzziah set up on his towers and battlements "to shoot arrows and large stones" (2 Chron. xxvi. 15), were a kind of catapults or ballistæ, which, according to Plinii *Hist. nat.* vii. 56, the Greeks and Romans adopted from the Phœnicians and Syrians. See the description and representation of them in Jahn's *Bibl. Archäol.* ii. 2, p. 430 ff. The undermining of walls, or laying down mines and concealed approaches, by which an entrance could be forced into a stronghold, is represented so early as on Assyrian monuments

(Layard, p. 371); but it is nowhere mentioned or referred to in the Old Testament, but certainly in the LXX. Jer. li. 58 (comp. Rosenmüller, *ad h. l.*), and more clearly in Josephus, *de bell. jud.* ii. 17. 8.

(8) Thus the Assyrians besieged Samaria three years (2 Kings xvii. 5); the Chaldeans, Jerusalem a year and a half (2 Kings xxv. 1 ff.). Comp. also 2 Kings vi. 25 ff., xviii. 27; Lam. iv. 10; 1 Macc. vi. 53 f.

§ 160. *Victory, its Celebration, and Conclusion of Peace.*

After the conquest of the Midianites under Moses, the army returning from the war is commanded to remain with its booty seven days outside the camp, to go through the purification enjoined for contact with the dead, Num. xxxi. 13 ff. This command was certainly intended to apply not only to this one case, but to all wars carried on by God's people with the heathen. Since the omission to make expiation for uncleanness caused by death is threatened with cutting off (Num. xix. 20), we may be sure that at the end of every war no pious commander or ruler would fail to see to the theocratic duty of making expiation for the army. This purification, however, was certainly preceded (1 Kings xi. 15; Ezek. xxxix. 11 ff.) by the burial, both of those who had fallen in battle, and of the enemies who had been slain, after the latter had been stripped (1 Sam. xxxi. 8; 2 Macc. viii. 27); for not to be buried, but to be given as food to the fowls of heaven and the beasts of the field, was not only regarded as a great dishonour (1 Sam. xvii. 44), but also as a severe divine punishment (1 Kings xiv. 11, xvi. 4, xxi. 24; Jer. vii. 33, etc.). Heroes, and leaders who had fallen, were honoured by the mourning of the army, and by being buried in state in the graves of their fathers (2 Sam. iii. 31), their weapons no doubt, according to the custom of other peoples, being laid in the grave along with them (Ezek. xxxii. 37) (1).

Against besieged enemies, and especially those taken captive, the Israelites exercised the harsh rights of war common among the peoples of antiquity, which, however, were somewhat tempered by the Mosaic law. For their wars against the Canaanitish peoples, as well as against Israelitish cities which had given themselves to idolatry, and fallen under the curse,

it was commanded to kill man and beast, and to burn all the spoil, with the city itself, as a whole-offering (כָּלִיל) to Jehovah (Deut. xiii. 16 f.), and to give up incombustible things, like metals, to the treasury of the sanctuary, without reserving any part of the spoil, on penalty of themselves incurring the ban (Josh. vi. 17 ff.; comp. Deut. vii. 25 f.) (2). But for wars with other peoples the command was only to kill men in arms; but, on the contrary, to take women, children, and cattle, with the rest of the spoil, to themselves (Deut. xx. 13 f.). Of fighting men taken captive, the leaders and princes, as a rule, were killed with the sword, in wars of revenge also, all the captives (Num. xxxi. 7; 2 Sam. xii. 31, etc.) (3); in other cases, however, they were made slaves, and treated according to the mild law of slavery (comp. § 112).—In regard to the booty in men, cattle, and goods taken in the conquest of the Midianites, a division is enjoined between those who had gone to the field and the whole congregation, into equal portions, whereof the fighting men had to give the five-hundredth part to the priests as a heave-offering to Jehovah, the rest of the congregation the fiftieth part of their share to the Levites, Num. xxxi. 25 ff. How far this ordinance was intended to be a rule for after times cannot be determined. In the wars carried on after the land was possessed, perhaps only the custom raised by David to the rank of a rule, 1 Sam. xxx. 24, held good: to divide the spoil into equal halves between those who had fought in the field and those who had remained behind to guard the camp; to devote a portion thereof, especially gold, silver, and precious articles of metal, to the sanctuary of Jehovah (2 Sam. viii. 7, 10 ff.; 1 Chron. xxvi. 27 f.); also to assign a portion of the spoil to the oppressed, the aged, widows, and orphans (2 Macc. viii. 28, 30).—The division of the spoil was a joyous feast for the people, Isa. ix. 2 (4).

(1) The proofs for this custom, in which, according to the view of antiquity, high honour was paid to the dead, see in Dougtæi, *Analect. sacr.* i. p. 281 sq.; and Hävernick's *Comment. on Ezek.* p. 534.

(2) In its full severity the ban was carried out on Jericho, Josh. vi. 24; in the case of the other cities of Canaan the cattle and other spoil along with the houses were given to the Israelites

for a possession, so that the ban was to be executed only on man, Josh. viii. 2 (comp. my comment. on the passage), x. 28–40; comp. Deut. ii. 34 f., iii. 6 f.

(3) The particular cases in which the Israelites take cruel vengeance on their captive enemies, are always provoked by the conduct of the enemy. If they cut off the thumbs and great toes of the captive king Adonibezek, he himself recognises therein the divine retribution, for he had seventy kings with their thumbs and great toes cut off, who gathered the crumbs under his table (Judg. i. 6 f.).—If David, after taking Rabbah, tore the captive Ammonites with saws and harrows, and burned them in kilns (2 Sam. xii. 31; 1 Chron. xx. 3), he was taking vengeance for an unheard-of enormity which cast contempt on all international law, and which they had committed on his ambassadors (2 Sam. x. 2 ff.).—The conduct of Amaziah to the Edomites, when he caused ten thousand captives of them to be hurled from a rock, so that they were broken in pieces (2 Chron. xxv. 12), was only a righteous punishment inflicted on these hereditary enemies of God's people (Amos i. 11; Obad. ver. 10 ff.). Finally, when Menahem after conquering Tiphsah caused the women with child to be ripped up (2 Kings xv. 16), this was a solitary outrage committed by a usurper, such as had been done to the Israelites in every war by the Syrians (2 Kings viii. 12; comp. 2 Macc. v. 13), Assyrians (Hos. x. 14, xiv. 1), Chaldees (Isa. xiii. 16; comp. Nah. iii. 10), and even by the Ammonites (Amos i. 3).

(4) Comp. Saalschütz, *Mos. R.* cap. 97 and 98.

Their *triumph* was celebrated by the theocratic commanders and rulers with a religious thanksgiving, and the victory was proclaimed in psalms to the glory of God (Ex. xv.; Num. xxi. 14 ff., 27 ff.; 2 Sam. xxii.; 2 Chron. xx. 26–28; 1 Macc. iv. 24; Judith xvi. 1 ff.); while the people, especially the women, met the returning victor with song, music, and dance, Judg. xi. 34; 1 Sam. xviii. 6 ff.—Some heroic deeds were rewarded with gifts and distinctions (1 Sam. xviii. 25 ff.; 2 Sam. xviii. 11), and sometimes also rare weapons taken as spoil were hung up in the sanctuary (1 Sam. xxi. 9; 2 Kings xi. 10, and 1 Sam. xxxi. 10; 1 Chron. x. 10) (5).

(5) The erection of trophies as monuments of victory cannot be concluded with certainty from 1 Sam. xv. 12 and 2 Sam. viii. 13, for in the latter passage the interpretation is doubtful (comp. Thenius on the passage), and neither is the monument erected by Saul (1 Sam. xv. 12) designated as a trophy of victory.

Peace was concluded with conquered peoples only on condition of their becoming subject and paying tribute. As a security for the fulfilment of these conditions, some of the most distinguished were taken as hostages (2 Kings xiv. 14; 2 Chron. xxv. 24). Garrisons were also put in their strong cities (2 Sam. viii. 6, 14). If the conquered craved mercy, he appeared before his conqueror in mourning (sackcloth about his loins), and with a rope round his neck in token of unconditional surrender (1 Kings xx. 31 f.). Petty neighbouring princes also sent embassies with presents to the conqueror, to congratulate him on his victory, and thereby ensure his favour (2 Sam. viii. 10).—As to the formalities usual in concluding a peace, we have no information.

INDEX.

Acacia, i. 191.
Adonis, ii. 90, 91.
Adrammelech, ii. 97, 98.
Adulfe, ii. 286.
Adultery, ii. 171.
Agriculture, ii. 205.
Almond tree, i. 146, 149.
Alphabetic writing, ii. 250.
Altars, i. 57.
Amusements, ii. 184.
Anammelech, ii. 97.
Animals, smaller, i. 49.
Anklets, ii. 149.
Anointing, i. 422, ii. 145.
—— of priests, i. 223.
—— oil, i. 225, 422.
Aquatic animals, i. 48.
Araunah, i. 165.
Arbiters, ii. 345.
Architecture, ii. 287.
Ariel, ii. 84.
Armlet, ii. 149.
Arms, ii. 386.
Army, ii. 383.
Arrows, ii. 387.
Ascara, i. 339.
Ash cakes, ii. 126.
Asherim, ii. 87, 88.
Asheroth, ii. 83.
Ashes of red heifer, i. 335.
Ashtaroth, ii. 83.
Ashtoreth, ii. 87.
Asphalt, ii. 252.
Asses (coins), ii. 245.
Asses, i. 47.
Astarte, ii. 83, 87.
Asylum, ii. 373.
Atergatis, ii. 91.
Atonement, day of, ii. 10.
Atthar, ii. 88.
Azazel, ii. 43.
Azereth, ii. 39.

Baal, Baalim, ii. 83, 84.
Baal-Peor, ii. 84.
Baal of covenants, ii. 84.
Bagpipes, ii. 283.
Baitulia, i. 62.
Balsam, i. 43.
Bamoth, ii. 72.
Ban, i. 446, ii. 395.
Banishment, ii. 361, 363.
Bat, ii. 121.
Bath (measure), ii. 235.
Baths, ii. 144.
Battering-rams, ii. 392.
Battle, order of, ii. 391.
Beard, ii. 145.
Bee-culture, ii. 220.
Beelzebub, ii. 84, 86.
Bel, ii. 95.
Benediction, i. 457.
Berosus, i. 10, 11.
Birds, i. 49.
Bitter herbs, ii. 22.
Blasphemy, ii. 377, 380.
Blood, eating of, ii. 115, 123.
—— issues of, i. 401.
—— revenge, ii. 356, 370.
—— sprinkling, i. 270.
Boaz, i. 166, 177.
Body, injuries of, ii. 367.
Bohak, ii. 191.
Booths, ii. 104.
Bosom, ii. 138.
Bow, ii. 386.
Bread of God, i. 260.
Bridal gift (*Mohar*), ii. 167.
—— state, ii. 168.
Buffalo, i. 51.
Burial, ii. 199.
Burnt-offering, i. 315.
—— altar of, i. 108, 139, 172,
Butter, ii. 112, 114.
Byssus, i. 105.

Cab, ii. 35.
Cakes, ii. 126.
Calves, golden, ii. 79.
Camel, i. 51, ii. 219.
Canaan, i. 19.
Candlestick, golden, i. 145, 172.
Capital punishment, ii. 357, 367.
Capporeth, i. 109, 137, 149.
Caps, ii. 137, 139.
Caravans, ii. 257.

Carpentry, ii. 225.
Cattle, i. 46, ii. 218.
—— rearing of, ii. 218.
Cedars, i. 44.
Cedar wood, i. 388.
Changes of raiment, ii. 140.
Cheese, ii. 114.
Chemosh, ii. 84, 86.
Cherethites and Pelethites, ii. 334.
Cherub, i. 110.
Childbed, woman in, i. 376, 402.
Children, sacrifices of, ii. 92.
—— training of, ii. 175.
Choschen, i. 218, 234.
Circumcision, i. 415.
Cities, ii. 109.
Clans, ii. 292.
Cleansings (Levit.), i. 378, 385.
—— blood-guiltiness, i. 410.
—— from leprosy, i. 393.
—— issue of blood, i. 401.
Clothes, ii. 133.
—— leprosy in, i. 372.
Coat, ii. 136.
Coats of mail, ii. 387, 389.
Coins, i. 7, ii. 240.
Congregation of Israel, ii. 316.
—— of Jehovah, ii. 318.
Consecration offerings, i. 355, 359.
Cooking utensils, ii. 128.
Corban, i. 246, 254.
Coronation, ii. 329.
Cotton, i. 43, ii. 212.
Court of tabernacle, i. 107.
—— of women, i. 189.
Courts of justice, ii. 337, 339, 342.
Covenant, ark of, i. 108.
—— sacrifices, i. 355.
Crucifixion, ii. 360.
Ctesias, i. 10.
Cubit, ii. 232.
Cultus, Levitical, ii. 67.
—— Mosaic, i. 63.
—— officials, i. 204, 241.
Cups, i. 121.
Cursing, water of, i. 404.
Cymbals, ii. 286.
Cypresses, i. 44.

DAGON, ii. 91.
Dancing, ii. 280.
Darics, ii. 240, 242.
Date palm, i. 176, 179.
Day, i. 459.
Day's journey, ii. 233.
Dead, conjuring of, ii. 100, 379.
Deathblow, ii. 370.
Demons, ii. 44.
Denarius, ii. 240, 245.
Dens, ii. 104.
Derceto, ii. 91.
Diadem, i. 219.
Diarrhœa, ii. 191.
Discharges, ii. 191.
Diseases, ii. 186.
Divine worship, daily, i. 468.
Divorce, ii. 173.
Dogs, i. 48, ii. 220, 222.
Drachma, ii. 244.
Drawers, i. 214.
Dreams, interpretation of, ii. 100.
Drink-offerings, i. 337.
Dropsy, ii. 191.
Drum, ii. 286.
Dwellings, ii. 104.

EARLY rain, i. 39.
Ear-rings, ii. 149.
Earthquakes, i. 52, 54.
East wind, i. 40, 41.
Elders, ii. 312.
Elephantiasis, ii. 191.
Elephants, ii. 386.
Embalming, ii. 200.
Engraving, ii. 227.
Entertainments, ii. 132.
Ephah, ii. 235.
Ephod, i. 217, 234.
Epilepsy, ii. 190.
Essenes (Essæans), ii. 271.
Evening sacrifice, i. 468.
Exchange, ii. 306.
Expiatory offerings, i. 285, ii. 40.
Eye diseases, ii. 187.
—— paint, ii. 148.

FABLE literature, ii. 278.
Farming, ii. 210.
Fasting, i. 442.
Fathers, houses of, ii. 292, 297.
Feast cycle, i. 469.
Fever, ii. 186.
Fig lumps, ii. 115.
Fines, ii. 361.
Fire kindling, ii. 125, 126.
First-born, i. 447.
—— right of, ii. 307.
First-fruits, sheaf of, ii. 31.
Firstling loaves, ii. 36.
Firstlings, i. 448.
Fish, ii. 113.
Fishing, ii. 221.
Flax, i. 43.
—— cultivation of, ii. 212.
Flies, Baal of, ii. 84.
Flute, ii. 283.
Flux, sufferers from, i. 374.
Food, laws of, ii. 117.
Foreigners, ii. 319.
Foreskin, i. 415, 419.
Fortresses, ii. 110, 392
Frankincense, i. 121.
Fraudulent dealing, ii. 154.
Freedom, year of, ii. 13.

Fruit, cultivation of, ii. 216.

GAD, ii. 96.
Galilee, i. 29.
Game, i. 48, ii. 113.
Gennesaret, i. 34.
Gerah, ii. 229, 232.
Ghôr, i. 33.
Gilead, i. 20.
Girdles, i. 214, 231, ii. 136, 142.
Glass, ii. 227.
Goats, i. 47, ii. 219.
God, worship of, i. 55.
Goldsmiths, ii. 226.
Grain, i. 42.
Graves, ii. 200.
Greaves, ii. 387, 388.
Greetings, ii. 183.

HAIR, how worn, ii. 145.
Hamlets, ii. 109.
Handbasin, i. 103.
Handicrafts, ii. 225.
Hands, imposition of, i. 268, 273.
Haphtars, ii. 66.
Haram-area, i. 164.
Harp, ii. 285.
Harvest, ii. 210.
Heathenism, i. 81, 96.
Heaving and waving, i. 321, 322.
Helmet, ii. 387, 389.
Hens, ii. 220.
Heterogenea, ii. 374, 379.
High places, worship, ii. 72.
High priest, i. 218, ii. 371.
—— head-dress of, i. 235.
Hin, ii. 236.
History, ii. 274.
Hobgoblins, ii. 81.
Holy convocation, ii. 6.
Holy of Holies, i. 99, 149.
Homer, ii. 235.
Honey, i. 262, ii. 112.
Honour, ii. 183, 184.
—— insults to, ii. 369.
Horsemen, ii. 384, 385.
Horses, i. 47, ii. 219.
Horticulture, ii. 216.
Hospitality, ii. 182.
Hour, i. 459.
House, ii. 103.
—— building, ii. 106.
—— furniture, ii. 108.
Houses, leprosy in, i. 371.
Hulch, i. 33.
Hunting, ii. 221.
Hyssop, i. 392, 393.

IDOLATRY, ii. 80, 377.
Image-worship, ii. 76.
Incense, i. 120.
—— altar of, i. 120, 144, 172.
Infanticide, ii. 374.
Inheritance, law of, ii. 307.
Injuries, ii. 365.
Ink, ii. 261.
Inns, ii. 255, 257.
Intercalary month, i. 462, 466.
Irrigation, ii. 207, 208.
Ishtar, ii. 83.
Itch, ii. 191.

JACHIN, i. 166, 177.
Jealousy offering, i. 404.
Jobel, ii. 18.
Jubilee, year of, ii. 13.
Judges, ii. 339.
Judicial procedure, ii. 346.

KINGDOM, ii. 327.
—— constitution of, ii. 320.
Kinnor, ii. 285.

LACED sandals, ii. 136, 142.
Land, commerce by, ii. 245.
—— ownership of, ii. 302.
—— plagues, i. 53.
Latter rain, i. 39.
Law, ii. 337.
—— joy in the, ii. 65.
Leaven, i. 259.
Leprosy, i. 393, ii. 191.
Letech (measure), ii. 235.
Levirate marriage, ii. 162.
Levites, i. 204, 210.
—— cities of, i. 227.
Literature, ii. 259.
Local courts, ii. 342.
Locksmith, ii. 226.
Locusts, i. 49, ii. 113, 115.
Log (measure), ii. 236.
Lunacy, ii. 195.

MAGISTRATES, ii. 342.
Male attire, ii. 136.
Manetho, i. 10.
Marduk, ii. 96.
Marriage, ii. 150, 167.
Marriages, forbidden, ii. 153.
Mazzoth, ii. 30.
Meals, ii. 130.
Measures, ii. 232.
Meat-offerings, i. 337.
Meats, ii. 112, 125.
Medical art, ii. 276.
Memorial stones, i. 58.
Meni, ii. 96.
Menstruous woman, i. 374.
Merodach, ii. 96.
Merom, i. 35.
Mesha-stele, i. 14, ii. 262.
Metal, works in, ii. 226.
Milcom, ii. 85.
Milk, ii. 114.

Mills, ii. 126, 127.
Mina, ii. 229.
Minerals, i. 42.
Mirrors, ii. 149.
Moloch, ii. 92.
Money, ii. 238.
Monogamy, ii. 151.
Monthly Sabbath, ii. 7.
Months, names of, i. 461.
Moon, month, i. 460.
Moriah, i. 163.
Morning sacrifice, i. 468.
Mourning, ii. 202.
Movables, ii. 108.
Mucus, flux of, i. 375.
Mules, i. 48.
Music, ii. 280.
—— in worship, i. 458, ii. 281.

NAMES, giving of, i. 415.
Natural sciences, ii. 275.
Naval commerce, ii. 246.
Nazirate, i. 433.
Nebel, ii. 285.
Nebo, ii. 96.
Necklets, ii. 149.
Nergal, ii. 98.
Nethinim, i. 245.
Nets, ii. 221.
New moon, feast of, ii. 8.
Nibhaz, ii. 98.
Nisroch, ii. 98.
Nomad life, ii. 204, 205.
Nose rings, ii. 149.
Numbers, symbolism of, i. 127, 133.

OATHS, ii. 347, 348.
Offerings, consecration, i. 355, 359.
—— votive, i. 320.
Official dress, i. 214, 230.
Officials, ii. 313.
Olive culture, ii. 215.
Ophir, ii. 249.
Oracles, ii. 100.
Oratory, ii. 277.
Ornaments, ii. 148.
Ostrich, ii. 121.
Ovens, ii. 126.

PAINT (face), ii. 146.
Painting, ii. 290.
Palestine, i. 19, 29.
Paper, ii. 261.
Paralytics, ii. 190.
Paraschæ, ii. 66.
Parched corn, ii. 113.
Parchment, ii. 61.
Paschal feast, ii. 29.
—— lamb, ii. 21.
—— sacrifice, ii. 23.
Passover, ii. 20, 23.
Peace, conclusion of, ii. 398.
Peace-offerings, i. 320.
Penal law, ii. 354.
Pentecost, ii. 37.
Perea, i. 37.
Pestilence, ii. 188.
Pharisees, ii. 268.
Philo-Byblius, i. 11.
Philosophy, ii. 273.
Phylacteries, i. 456.
Pigeons, i. 49.
—— sacrifices of, i. 256, 266, 296.
Pledges, ii. 364.
Ploughing, ii. 210.
Poetry, ii. 277.
Pollution, i. 368.
Possession, ii. 197.
Pottery, ii. 227.
Praise-offering, i. 320.
Prayer, i. 454.
Presses, ii. 214.
Priesthood (Israel), i. 207.
Priests, i. 213.
—— coat of, i. 214, 231.
—— consecration of, i. 223, 229.
—— service of, i. 214.
Princes of Israel, ii. 295, 334.
Prisons, ii. 362.
Procreation, i. 382.
Property, ii. 363.
Prophets, ii. 324.
Proselyte baptism, i. 427.
Proselytes, i. 425.
Psaltery, ii. 285.
Punishments, ii. 257.
Purim, feast of, ii. 63.
Purple, i. 106.

QUADRANS, ii. 240.

RED heifer, i. 385.
Redeemer (Goel), ii. 354.
Redeeming of vows, i. 340.
Redemption, law of, ii. 305.
Reed (measure), ii. 233.
Refuge, cities of, ii. 370.
Religion, origin of, i. 59.
Representative men, i. 469.
Rimmon, ii. 98.
Roads, ii. 111, 255.

SABBATH, keeping of, ii. 1.
Sabbath day's journey, ii. 233.
Sabbatic month, ii. 7.
—— year, ii. 10.
Sackcloth, ii. 202.
Sacrifice of red heifer, i. 385.
Sacrifices, holy and most holy, i. 264.
—— as gifts, i. 262.
—— ashes of, i. 385.
—— burning of, i. 272.
—— feasts on, i. 321, 331.
—— kinds of, i. 253.

Sacrifices, materials of, i. 256, 258.
—— Mosaic, i. 250.
—— pre-Mosaic, i. 246.
—— ritual of, i. 266.
—— slaughtering of, i. 269.
—— symbolism of, i. 275.
—— typology of, i. 278.
Sacrificial death of Christ, i. 344.
Sadducees, ii. 269.
Salt, covenant of, ii. 382.
Salt sea, i. 33.
Sanchuniathon, i. 10.
Sandals, ii. 136, 142.
Sanhedrim, ii. 350.
Scarlet wool, i. 388.
Schedim, ii. 81.
Schools, ii. 176, 265.
Scourging, ii. 361.
Scribes, ii. 265.
Sculpture, ii. 289.
Sea of brass, i. 173.
Seah (measure), ii. 235.
Seal ring, ii. 148.
Seed-time, ii. 210.
Seirim (demons), ii. 81.
Seminal discharges, i. 374.
Serpent, brazen, ii. 79.
—— charming of, ii. 100.
Serpents, i. 49.
Servants, ii. 178.
Service of women, i. 440.
Shecar, ii. 116, 117.
Sheep, i. 47.
Shekels, ii. 229, 231, 239.
Shekinah, i. 150.
Shewbread, i. 146.
—— table of, i. 146, 172.
Shields, ii. 387.
Shoterim, ii. 313, 339, 342.
Sin-offering, i. 287, 296, 299.
—— flesh of, i. 296, 304, 354.
Sistra, ii. 286.
Slavery, ii. 178.
Slinging, ii. 387, 392.
Smelling-bottles, ii. 149.
Smiths, ii. 226.
Sociality, ii. 183.
Song, i. 458, ii. 280.
Soothsaying, ii. 100, 379.
Sorcery, ii. 100, 379.
Span, ii. 232.
Sparrow, i. 49.
Spear, ii. 386.
Spoil, ii. 396.
Staff, ii. 148.
Stater (coin), ii. 244.
States, how formed, ii. 290.
Stoning, ii. 357.
Stripes, ii. 361.
Substitution in sacrifice, i. 277.
Succoth-Benoth, ii. 98.
Supplicatory offerings, i. 326, 329.
Supreme court, ii. 342, 345.
Suretyships, ii. 367.
Symbolism of cultus, i. 71.
Synagogue, i. 201.
—— excommunication, i. 446.
—— public worship of, ii. 65.
Synedrium, ii. 350.

TABERNACLE, i. 98, 125, 152.
Tabernacles, feast of, ii. 52.
Tahash (badger) skins, i. 100.
Talent, ii. 229, 231.
Talmud, i. 8.
Tammuz, ii. 90.
Tanning, ii. 228.
Targets, ii. 388.
Tarthak, ii. 98.
Tassels, ii. 136, 138.
Tattooing, ii. 146.
Temple of Solomon, i. 162, 175, 180.
—— courts of, i. 170.
—— feast of dedication of, ii. 63.
—— gates, i. 189.
—— house, i. 196.
—— of Herod, i. 187.
—— of Zerubbabel, i. 182.
—— porch of, i. 166.
—— slaves, i. 245.
Tents, ii. 104.
Tephillim, i. 457.
Teraphim, ii. 76.
Testaments, ii. 309.
Testimony, i. 149.
Thank-offerings, i. 320, 327.
Theft, ii. 366.
Theocracy, ii. 320.
Therapeutæ, ii. 272.
Threshing, ii. 211.
—— floor, ii. 211.
Time, division of, i. 459.
Tithes, i. 449.
Toll, ii. 254.
Torture, ii. 348.
Town courts, ii. 344.
Treaties, ii. 380.
Trespass-offerings, i. 287, 293, 312.
Triangles (musical), ii. 286.
Tribal constitution, ii. 312.
Trousers, ii. 136.
Trumpets, ii. 283.
Turban, i. 219, 235, ii. 137, 142.
Typology, i. 74.
—— of the cultus, i. 74.
—— of the feasts, ii. 59.
—— of the tabernacle, i. 152.

UNCLEAN meats, ii. 115, 117.
—— animals, ii. 115, 117, 120.
Uncleannesses, i. 252, 378.
—— from death, i. 385.
Unleavened bread, ii. 30.
Upper robe, i. 217, 232, ii. 136.

Urim and Thummim, i. 218, 234.

Veils, ii. 142, 143.
Victory, celebration of, ii, 397.
Villages, ii. 109.
Vine, i. 43.
—— culture, ii. 213.
Vinegar, ii. 116.
Violin, ii. 286.
Votive offerings, i. 327.
Vows, i. 429.
—— of self-denial, i. 429.
—— redeeming of, i. 429.

War-boot, ii. 387.
—— chariot, ii. 384, 386.
Washing, ii. 144.
Waving of sacrifices, i. 321.
Weaving, ii. 134, 228.
Weddings, ii. 167.
Week, i. 460.
Weekly Sabbath, ii. 1.
Weeks, feast of, ii. 37.
Weights, ii. 229.
Wheeled stands, i. 173, 177.
Whole offerings, i. 317.
Wills, ii. 309.
Wine, ii. 116.
Wisdom, doctrine of, ii. 273.
Witnesses, ii. 347, 369.
Women, clothing of, ii. 142.
Wood carrying, ii. 64.
Worms (disease), ii. 191.
Writers of muster rolls, etc., ii. 313, 339, 342.
Writing, invention of, ii. 259, 261.
—— materials, ii. 261.

Year of the Hebrews, i. 461.

THE END.

MORRISON AND GIBB, EDINBURGH,
PRINTERS TO HER MAJESTY'S STATIONERY OFFICE.

00111814

Digitized with financial assistance from the
Government of Maharashtra
on 25 June, 2016